853

REPORT

OF THE

SPECIAL COMMITTEE

ON THE

MAGDALEN ISLANDS,

AND THE

WESTERN PART OF THIS PROVINCE,

ABOVE

LAKE HURON.

O.F.M.

Printed by Order of the Legislative Assembly.

QUEBEC:
PRINTED BY JOHN LOVELL, AT HIS STEAM PRINTING ESTABLISHMENT,
MOUNTAIN STREET.

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REPORT

OF THE

SPECIAL COMMITTEE ON THE MAGDALEN ISLANDS,

&c. &c. &c.

(*Translation.*)

LEGISLATIVE ASSEMBLY, COMMITTEE ROOM,
WEDNESDAY, 23*rd March*, 1853.

PRESENT:

Mr. C. J. FOURNIER, Chairman,
COLONEL PRINCE,
Mr. CHRISTIE of Gaspé, and
Hon. Mr. DESALES LATERRIERE.

The Special Committee appointed to make inquiry into the following matters in reference to the Magdalen Islands:

1st. Under what tenure the lands are occupied by the inhabitants of those Islands;

2nd. What is the present condition of their agriculture, trade, fisheries, and other branches of industry, whether mines, minerals, or otherwise, and what would be the most efficient means of improving the same, should that be deemed necessary;

3rd. Whether those Islands are generally advantageous to this Province in a commercial point of view or otherwise; Lastly, into all matters having reference thereto; as also to make inquiry concerning the Western part of this Province, situate above Lake Huron; and to whom was referred the Petition of A. Painchaud, Esquire, and others, Merchants and Traders in the Magdalen Islands,—have the honor to present the following Report:

In order to proceed as nearly as possible in conformity with the views which Your Honorable House appeared to entertain in referring to them the two Resolutions and the Petition above mentioned, and in order to secure the greatest amount of evidence which they possibly could obtain, Your Committee sent circulars to various persons who were considered most qualified to afford information concerning these two extremities of the Province hitherto so little known.

With a full and deliberate consideration of their testimony, Your Committee have arrived at the conclusion that the Government being better able than they to obtain local information, they should avoid offering any suggestions, which a subject of such great importance to the future prosperity of the Province may seem to require.

Nevertheless, Your Committee do not consider it their duty to suppress their humble opinion, that the Magdalen Islands being situate at the entrance of the Gulf, between the Islands of Newfoundland and Cape Breton, and Prince Edward's Island, &c., affording, moreover, the only harbour of refuge for fishermen and coasting vessels from Labrador, Upper Canada or elsewhere, in their traffic with the Eastern Provinces, ought to be preserved, even at the cost, in a certain degree, of the revenues derived from the Customs.

The population of these Islands, according to the last census, consists of nearly 2,500 souls.

The Imports and Exports for the last two years were :—

	Imports.	Exports.	Duties.
1851—	£1,421 3 7	£ 4,895 8 4	£111 11 0
1852—	3,248 17 10	11,096 3 6	303 4 6

Our fisheries on Lake Superior ought, if possible, to be protected from the encroachment of our neighbours. That part of the Province will, by the aid of the mines and fisheries, make rapid progress. Prisons and Courts of Justice, both Civil and Criminal, should be established at certain distant stations, out of the Consolidated Revenue, for the benefit of the settlers residing in parts remote from the chief Towns of their several Districts, who are frequently injured by persons against whom they are unable to obtain a remedy, on account of the remoteness of the power from which they might hope for suitable redress and protection.

Your Committee likewise lay before Your Honorable House, the evidence and the plans which they have procured, in order the better to enable Honorable Members to form their judgment of the resources and the wants of these two extremities of the Province.

The whole, nevertheless, submitted.

(Signed,) C. J. FOURNIER,
Chairman.
" JOHN PRINCE,
" DESALES LATERRIERE, M. P.
" ROBERT CHRISTIE.

MAGDALEN ISLANDS,
21*st October*, 1852.

SIR,—I have to acknowledge receipt of your circular dated 9th September, and hastily submit a few suggestions in reply to same, which, if carried into effect, might prove as beneficial to the inhabitants of these Islands as to the Province of Canada, generally.

The Seal and Cod Fisheries of the Magdalen Islands are its staple article of export, and both of which, I am sorry to say, are in a very languishing state ; the people engaged in them are yearly lacking energy. The Merchants who afford them supplies to carry on this half expiring trade, are also forsaking the business, and consequently a great portion of the trade is falling into the merchants and traders on the Labrador Coast. This is an evil which ought to be remedied. Turn again to the Seal Fishery, a branch of trade capable of being increased to a very large extent—yet at present, from the repeated failures in the sealing season, to be attributed, in fact, to the miserable description of vessels that follow the business, it is almost becoming a dead letter. There is also a valuable Mackarel Fishery around these Islands, (carried on with much enterprize by the Americans) yet for fear of loss by following the pursuit, not a single vessel of the Islands are engaged in it. To remedy all this I would say, grant a bounty on the Cod, Seal and Mackarel Fishery—give to the inhabitants (who have bone and sinew equal to any race of people under the sun,) a little encouragement, prop up these expiring yet valuable branches of commerce, and you would soon see great resources daily developing themselves.

I would say £1000 judiciously expended in the shape of bounties to the vessels employed in the Seal, Cod and Mackarel Fisheries. Imitate the Americans, and give a tonnage bounty of 20s. per ton on all vessels engaged in the above pursuits for the season, and I hesitate not to say that after a very short

period, the Fisheries of the Magdalen Islands would vie with those of any part of the world, and the Province of Canada could not fail but participate in the general benefit, by an increased consumption of the agricultural produce.

Next in importance to this, is a Mail communication with the Province; I, myself, have labored under the want of such an arrangement, having now before me a letter of consequence received from the Committee of Lloyds, in London, that has been nearly twelve months on its way.

Having personally visited, the past summer, a portion of the District of Gaspé, I should certainly say that a line could be easily established between this and Percé, running monthly, at a cost of not more than £15 per month, commencing on the 1st May and ending of 1st on November. Indeed, should no lower offer be submitted, I would engage to place a suitable vessel on the line for the sum above mentioned, say fifteen pounds per month, free of all other charges whatsoever.

I am,

Sir,

Your obedient servant

(Signed,) JOHN J. MANCE.

COMMITTEE ROOM, No. 4,
THURSDAY 23*rd September*, 1852.

Robert Christie, the Member for the County of Gaspé, was called before the Committee and examined as follows:—

Under what tenure do the inhabitants of the Magdalen Islands hold their lands?—In answer to this first question, all I can say is, that never having visited these Islands, and acquainted personally with but few of the inhabitants, I can only speak from report, by which I understand that they hold their lands, in some instances, by lease from the former proprietor, (the late Admiral Sir Isaac Coffin,) or from the present one, his nephew and residuary legatee, Captain Coffin, R. N.; in others, by mere occupancy and improvement of the ground upon which they and their forefathers, after their forced retirement from L'Acadie, the land of their nativity, located themselves at a period long antecedent to the grant of these Islands by the Crown to Sir Isaac Coffin.

What is the present condition of agriculture and trade in these Islands, the state of the Fisheries and other industrial resources, whether mines, minerals or otherwise, and what would be the most efficient means for their improvement, should such improvement be deemed necessary?—I am unable to answer satisfactorily to the second question, for the reason just given; (not having ever visited those islands). I think they are useful to this Province, and may, with attention from the Government and Legislature, be rendered of incalculable benefit to it. It would at any rate, in my opinion, be a reproach to us, it certainly would be a public misfortune to us, if we were to lose those Islands by their annexation to any of the Lower Provinces, in consequence of our neglecting their interests or indifference to their prosperity.

What would be the most efficient and at the same time the least expensive mode of establishing a postal communication between the Capital and that part of the Province?—I am of opinion that a weekly or fortnightly Mail should be exchanged between Quebec and these Islands, to pass either by way of Percé or Prince Edward Island. I presume that £150 would suffice to defray the expenses of a small vessel for this service, (which would only last during the summer months or season of navigation,) say from the first of May to first of December annually.

MAGDALEN ISLANDS,
21*st October*, 1852.

To the Gentlemen of the Committee appointed to take into consideration the state of affairs in the Magdalen Islands, &c., &c.

GENTLEMEN,—The subscribed answers to the questions submitted to me by you taken numerically, are responded to after due deliberation (to the best of my judgment) on the subject.

Question 1*st*.—Leases, and Location Tickets, and some are Squatters.

Question 2*nd*.—Agriculture is in a very backward state; in fact, the people here do little or nothing towards the furtherance of that branch of science which forms a country's pride, save on Entry Island, where there are a hundred souls, who live altogether by the produce of their farms. The remainder of the inhabitants, generally, are wholly dependent upon the contingencies of the Fisheries. Commerce is rather in a flourishing state. The Islands abound with fish of different kinds, such as Cod, Mackarel, Herring, Seals, &c., &c. The only thing which has as yet been discovered under the head of minerals are Plaster of Paris and Ochre; these we have in abundance.

Question 3*rd*.—I think they are, or might be rendered useful, not only in a commercial point of view, but also, from their situation, they form the only protection which we have for the Gulf. They are at present a regular rendezvous for schooners from all parts of the Country.

Question 4*th*.—During seven or eight months in the year, *i. e.* from the first of May till the last of November or middle of December, a vessel could ply between this and Pictou and this and Gaspé, thus establishing a Postal communication between Gaspé and Pictou, this and Gaspé, and this and Pictou. A vessel could be obtained (which would perform the route monthly) for about a hundred pounds yearly.

We are quite destitute of roads here, and of laws to protect the inhabitants; or rather, if the laws be sufficient we have no means of putting them in force.

Believe me to remain,
Gentlemen,
Your obedient and humble servant,

FELIX BOYLE.

(*Translation.*)

MAGDALEN ISLANDS,
12*th October*, 1852.

HONORABLE GENTLEMEN,—As you have done me the distinguished honor of condescending to take my advice relative to the different subjects of inquiry which you have addressed to me on the subject of the Magdalen Islands, I shall state to you frankly all my knowledge on those different points.

1. Under what tenure are the lands occupied by the inhabitants?—This is a question which appears to me rather difficult to solve. A certain number of these lands have been occupied ten, twenty, thirty, forty years, without any tenure at all, the inhabitants having hitherto refused to acknowledge any Seignior; others hold their lands by paying to Captain Isaac Coffin, or his agents, an exorbitant rent, especially for that land which is indispensably necessary to them for the purpose of drying their fish, for a few feet of beach often overflowed by the sea, for sand-banks (*des dunes*) which I should compare to the moving sands of Arabia, and which are scattered and dispersed by the smallest gale of wind, without having hitherto been able to obtain a lease in due and proper form; for

all the leases that have been given are scarcely worthy of being read, as Judge DeBlois has often remarked to me ; you will scarcely be surprised at this when you consider that most of these leases were written and signed on the top of a herring barrel, in the presence of a bottle and glass, by persons who were often devout worshippers of Bacchus. Persons have even been stopped and compelled by force to sign these leases against their inclination ; you may judge for yourself if you take the trouble to read the specimen here annexed (page 9) which is indubitably one of the best. Since the granting of this lease, more than half of the land mentioned therein has been sub-let, and instead of the rent being diminished, it has been doubled.

2. What is the state of agriculture there?—It is only a few years since attention was first paid to it, and to this day it has received no encouragement; we have not even a Mill to enable us to turn to account the little grain we produce. Being convinced that a Mill is indispensably necessary, and that it would be a means of encouraging the inhabitants to greater industry in farming, I have induced them by every argument which I could use, to enter into a subscription among themselves, in order to erect one. They all shewed themselves very zealous in the undertaking, but being for the most part but little favored by fortune, they have as yet been unable to bring it about; we still persevere, however, trusting to the capture of seals which probably we shall never capture ; if that resource fails us, and if nobody lends us a helping hand, some years will probably pass before we attain our object. I think that for our relief in this particular a little money from Government would not be misapplied, and would be a great advantage to us; we do not ask for thousands—from £30 to £50 would be sufficient.

3. Commerce does not flourish among us, because provisions and especially the necessaries advanced for the fisheries being exorbitantly dear, the poor fishermen cannot subsist, and find themselves compelled either to seek a market abroad for their produce, or to remain at home overwhelmed with debt beyond all hope of redemption. Every day I am asked why our poor fishermen go to Labrador to carry on their fisheries, while hundreds of American and other vessels come here to catch fish of every kind which abounds at our very doors. The main reason of this is, that in order to carry on the fishery, particularly of the Cod, good sails and good cables are requisite, both which it is difficult, sometimes even impossible to procure here. I have myself seen some of these poor fishermen in the height of the season compelled to lose a fortnight or more in order to go to Prince Edward's Island to procure a cable; others obliged to lose two days fishing (that is to say, fifteen or sixteen quintals of Cod,) in order to procure a fishing grapnel which was not worth five shillings, or a pound of nails, to mend their boats. As to the Labrador Fishery, with a wretched sail and a chain, they get on very well. Again, they have to pay here for salt, fourteen, fifteen, and sometimes even twenty shillings, and obtain for their Cod not more than ten or twelve and three pence while at Labrador they get it for a quintal the cask, and other articles for the fishery in proportion. According to this view, there is no reason to be surprised that the poor inhabitants of the Magdalen Islands leave their homes, to seek their living afar off.

4. The fisheries. Perhaps no place exists in North America, which offers so many advantages to fisheries on a large scale as the Magdalen Islands. First, for the Seal Fishery, next for Herring and Mackarel, which in turns swarm in our bays every spring; lastly, Cod, which abounds all around our islands. Here is assuredly a mine of wealth, I might say inexhaustible, from which the Province might derive great advantages, if it knew how to turn it to account. We find in these islands, likewise, plaster in great abundance, and red ochre. And now in reference to the means of introducing some degree of improvement, the first would in

my opinion, be the granting of a certain bounty to fishing vessels ; the second, the exclusion of the Americans from the right, which they arrogate to themselves, of coming every spring with a great number of *seines* and other nets to catch the fish in our bays. For the latter purpose, a vessel should be stationed here from the opening of the navigation to the beginning of July, to drive them away.

5. Lastly, you wish to have my opinion in reference to the most beneficial, and, at the same time, the most economical plan of establishing a postal line. Every one who has not some particular interest, (in this as well as other matters) in disguising the truth, will tell you, as I do, that Mouse Bay (*le havre de la Souris*) situated near the eastern end of Prince Edward's Island is unquestionably the most advantageous, and at the same time the least expensive, and accordingly that which ought to be selected. The other gentlemen, who have, as well as myself, had the honor of an application from you, recommend, they tell me, Pictou and Gaspé. You will not be surprised at their sentiments on this head, if you reflect that all these gentlemen, except one, are engaged in trade, and find it much more convenient and profitable for their own business to have the mail at Pictou, in order to communicate more readily with Halifax whenever their commercial concerns require their presence there, and the same may be remarked of Gaspé. For in short, why ask that it be at Pictou rather than at Prince Edward's Island, the distance being twice as great, and the communication more difficult? To them it is more convenient, no matter that the expense to Government is increased. It is not on this point only that these gentlemen dissent from me. On Agriculture for instance, they are inclined to observe the strictest silence ; this involves their interest. In fact, if it were at all encouraged here, instead of two barrels of flour which they now sell, as we should only require one, so also they would sell a few pounds of pork the less. If you know all the difficulty which the inhabitants experience every autumn in conveying their grain to Prince Edward's Island to be ground, you will easily conceive who are right, those who are silent on this important topic or those who speak frankly to you, with a view not to their particular interest, but to the general welfare. I tell you candidly, Gentlemen, I am not a man to belie my feelings, and to disguise the truth, either out of deference to Mr. This or Mr. That, or out of a base love of lucre, but to tell you the plain truth, particularly on points so important as those in question.

There is, in my opinion, one thing which is absolutely necessary here—an authority at once respectable and imposing, capable of maintaining order, and enforcing respect for the laws, for, as to the Justices of the Peace whom we now have, their authority is null; and very certainly if some change be not made in this respect, we shall have to deplore distressing scenes, not among the inhabitants, but among the strangers who consider that they are here in a land of liberty. Thus, no longer ago than last year, some half-intoxicated Americans were on the point of depriving a poor inhabitant of his life, without any provocation, while no one attempted to protect him. It may have been a matter of surprise to you, Gentlemen, that the inhabitants of the Magdalen Islands have petitioned for a change of government; but if you knew all the injustice which has been inflicted on them in the last few years, your astonishment would cease.

Finally, I consider that some encouragement is necessary for good road-making.

Your very humble servant, &c.,

(Signed,) CHARLES N. BOUDREAULT, Ptre.

To the Committee appointed by
the Legislative Assembly to inquire
into the state of the Magdalen Islands.

(*Translation.*)

In presence of the undersigned witnesses .—

Came and appeared, Pierre Doucet, Esquire, acting in his capacity of Attorney in due form of law appointed to Sir Isaac Coffin, Baronet, Admiral of the Red in His Britannic Majesty's Navy, proprietor of the Magdalen Islands, which said Pierre Doucet hath acknowledged and confessed to have leased, in his said capacity, subject to annual rent from henceforth and for the period hereafter mentioned, the said rents carrying *défaut* whensoever the same may accrue, with warranty against all troubles and hindrances generally whatsoever, unto Benoit Boudrot, an inhabitant of the Magdalen Islands, hereunto present and accepting thereof for himself, his heirs and assigns during the continuance of the present emphyteotic lease of fifty years or more, if the said lessee shall continue to pay regularly as hereinafter mentioned, that is to say :—a parcel of land, with a house thereon constructed, consisting of meadows situate on the North and South of the Highway of Amherst Island, and now in his possession ; bounded by vacant land, and by the lands of Thomas Chaisson on the West, by the lands of Firmin and Louis Boudrot on the South-east ; together with a beach lot bounded on the East by the lands of Michel Borne, Esquire, on the West by the lands of Dominique Cormier, with a stone house thereon erected, together with his claims to the sand bank of the Martinique Islet ; all minerals being reserved for the Admiral.

This lease is transferred to Geneviève Boudrot, his wife :—

As the said land now stands, in full and peaceable possession of the said Benoit Boudrot, and with which he declares himself content and satisfied, to hold to the said lessee, his heirs and assigns during the said period, as he may think proper; without authority, however, to the said lessee to sub-lease the said land to several individuals ; the said lease being made for and in consideration of the sum of thirty shillings currency, annual and emphyteotic rent ; the said rent being irredeemable, and payable to the said Proprietor or his Attorney residing in Amherst Island, one of the Magdalen Islands ; and which said rent the said lessee doth promise and bind himself to pay in each year to the said lessor or his successors at the said place, and the first yearly payment whereof shall become due on the first day of September next, that is to say, the sum of two pounds (*sic*) currency. The said lease being also subject to the following condition, that if the said lessee, his heirs and assigns shall neglect during two consecutive years to pay the said rent, then and in such case this deed shall be null and void.

Done in duplicate at the Magdalen Islands, this twenty-fourth day of August, in the year one thousand eight hundred and thirty-two ; the said Agent and the said lessee having both signed, these presents being first duly read.

(Signed,) PIERRE DOUCET,
Agent.

(Signed,) (") BENOIT BOUDROT.
G. Gabouri.

GASPE, 30*th September*, 1852.

SIR,—I have the honor to acknowledge the receipt of your letter, dated Quebec, 9th September, 1852, by order of a Special Committee of the Legislative Assembly, to enquire in the state in which the Magdalen Islands are at present.

The following are my answers :—

1*st Question.* Nearly the half of the inhabitants have possession of their lands in virtue of leases for sixty years or upwards, provided they pay regularly within two years their rents of ten or twenty shillings per annum to Sir Isaac

Coffin, the proprietor, by Letters Patent in free and common soccage, bearing date 3rd April, 1798.

2nd Question. Agriculture has made very little progress since the permanent establishment of the Islands in 1750 or 60 up to the year 1846, ploughs became then in general use, and grain is generally sown by every inhabitant, they being perfectly satisfied of the production of their lands if they were disposed to attend more attentively to that branch of industry. A fisherman and seaman is not disposed to pay the necessary attention to Agriculture, considering it beneath himself; however, twenty or thirty families live exclusively out of the production of their farms. The Islands are very advantageously situated for an extensive fishery, abundant in fishing production almost of every kind, from the commencement of March the Seal Fishery, to the month of November and December, Fall, Mackarel and Cod Fish.

The exportation for seven years, including 1851, in fishing production of the Islands, averages £12,000 pounds per annum, besides from forty thousand to eighty thousand barrels Herrings; two to five thousand barrels Mackarel, caught by strangers, foreign and others in the harbours of the Magdalen Islands annually.

The Cod Fish is also abundant all round the Islands. I have no exact knowledge as to the Mines and Minerals, however, I am led to believe that a Lead Mine exists at a short distance from the L'Etang du Nord Settlement. Iron may also be found near Amherst Harbour, which is the opinion of Captain Baddeley of the Royal Engineers. The Magdalen Island inhabitants are consumers of a very large quantity of provisions and merchandize of every description; therefore the trade is very extensive with Canada and all the Lower Ports.

3rd Question. There is no doubt that those Islands are advantageous to this Province in a political and commercial point of view, by their position, as a place of safety to the numerous vessels frequenting the Gulf of St. Lawrence, and as a place almost commanding the entrance of the Gulf whilst belonging to this Province, the principal trade will be with the Ports of Gaspé, Quebec, and Montreal.

4th Question. A small schooner running twice a month to Prince Edward Island, distance sixty miles, or to Gaspé Basin, distance one hundred and fifty miles, would be sufficient at present in carrying the Mails to the Islands. The expense to the Government would be from one hundred and fifty, to two hundred pounds per annum.

5th Question. The agriculture, fisheries and commerce have not been very prosperous on the Islands these few years past, owing to the indolence, carelessness, extravagance and disaffection of the inhabitants, they being a Sovereign people, having lived nearly a century without any authority but their own will; buying and selling from whom they thought proper. The establishment of a Court of Justice by which they were made to pay the merchant for his advances, and the proprietor of the Islands, to demand the payment of his rents, (for none had ever been paid), brought out two or three disaffected individuals with a view of seeking popularity to agitate the Islands, and advised the people to resist the legal authority; also with the assistance and commands of an extensive Commercial House in Halifax, Nova Scotia, then in negociation for the purchasing or leasing the Islands from the present proprietor, they were urged to agitate, and demand annexation to the Province of Nova Scotia. This is a true and correct account of the annexation move, which has very much subsided this summer, owing to the Commercial House in question having actually become the lessee of the Islands.

In conclusion, being sorry that my time does not permit me to enter into further details, having reference to the state of these Islands, I will briefly state what I think is required to make the inhabitants of these Islands prosperous, happy, and contented; it would be the erection of a Gaol on the Islands, the per-

manent residence of a stipendiary Magistrate, or Circuit Judge, to see and cause the laws to be executed, and the presence of an armed Cutter during the months of May and June, to protect the Revenue, and prevent the numerous outrages during that period, whilst one hundred and fifty sail at least are engaged in trading and fishing in the two Harbours of the Islands.

This, in my humble opinion, would put an end to all complaints and difficulties, and restore peace and happiness, and security to all parties concerned.

I have the honor to be, Sir,
Your most obedient servant,

J. C. BELLEAU.

MAGDALEN ISLANDS, *October 21st*, 1852.

To the President and Special Committee appointed to inquire into the wants and state of the Magdalen Islands.

GENTLEMEN,—I have the honor to acknowledge your letter of the 9th September ult., in answer to which I beg leave to notice that as the subject has been treated upon at length by other respectable persons here, I shall of necessity be brief.

In answer to your first question as to how the lands are held and occupied, I will say that the lands are held by leases granted by the different agents of the proprietors. It being the private property of the late Sir Isaac Coffin, now J. Townsend Coffin, Esquire, of Bath, in England.

2nd. The state of agriculture at present is not very flourishing, owing in a great measure to the want of knowledge and energy on the part of the inhabitants, as a great portion of the land offers every facility for the purpose. The population at present amounts to nearly 3000 souls. The greater number of which exist wholly by the fisheries which are in a very flourishing state, and an *incredible* quantity of which are taken annually by the Americans, New Brunswickers, Nova Scotians, and others who come some hundred miles from home for that purpose; in fact, there are few places where the Herring and Mackarel are so abundant as on these shores, especially in the months of May, June, and July, during which time we have frequently from 150 to 200 sail of vessels fishing in our Harbours and Bays at the same time, and as they are strong in numbers, our fishermen and inhabitants have very little chance among them, and are exposed to the good or bad will of these people, who sometimes gather to the number of 1000, go on shore and commit whatever depredation they choose, and we are left without protection or any authority here to apply to for satisfaction or to check them.

3rd. As to these Islands being useful to the Province there can be no doubt from the fact that our neighbors would be glad to accept us, had they the opportunity of so doing. They would be valuable were sufficient protection given us to enable the authorities here to execute their several duties. The Customs Returns shew the value of imports and exports by vessels who make legal entries; but one half of the vessels who visit and trade here (especially Americans) make an entry or acknowledge the Custom House at all, and as the Collector is *alone*, without one person to assist him, and poorly paid, it is a mattter of surprise how he collects what he does. The amount of produce of the Islands exported which we have an account of, will, this year, reach to nearly £15,000 value, but this does not say any thing for the great quantity of fish and oil taken away, of which we have *no account*, by reason that many of the strangers who visit here bring foreign produce to trade and smuggle it on shore to the great injury of the

Province, the fair trader and merchant who reside here, and supply the inhabitants during the severities of the winter; and such proceedings cannot be put a stop to until the Collector of Customs shall have assistance from Government to enable him to make an example of these unlawful traders.

4th. The most advantageous mode of establishing a post communication would be *via Pictou*, and would be very desirable. A small vessel would be had for £125, to run once a month, from the 15th May to the 1st November, and commissioned by Government, and could be obtained by tendering for the same through the neighboring Colonies, she could touch occasionally at Gaspé to accommodate the Judge or the Counsel that may require to attend at the Court.

5th. As the *isolated* position of these Islands together with *ignorance* and *stubbornness* of the inhabitants require that assistance and protection should always be at hand to aid the authorities in the execution of their duties, I would recommend that a small cutter be commissioned to cruise (during the summer) around the Islands, from the 1st May or the opening of the navigation for their protection and to act conjointly with the Collector here to enforce the payment of the legal duties to be made by these unlawful traders who do so much injury to the Islands generally. The same vessel could also carry the mail as when on mail service. A boat's crew (4 men) could be left on shore to render any assistance that may be required, as the presence of *Policemen* would have the desired effect. A small *Gaol* is also absolutely necessary in order to check the increasing vice and bad conduct of the growing population. There should be two Courts held during the year, say the 21st May and 15th November, or what would be preferable a Stipendiary Magistrate, with power to hold Quarterly Sessions of the peace and then no Judge would be required on this Circuit. The Court is now held on the 1st July, at a time when all the male portion of the Islands are absent upon the fishing grounds, consequently the merchant has no appeal for the collection of his debts, when they return with produce in the months of August and September; the transient trader then reaps the benefit with his contraband goods, he collects the merchants produce who have paid legal duty. If these things should be granted, I have every reason to believe our little Colony will flourish, and be as a bright gem to the east end of this Province. If nothing is done for us, discontent will continue to grow among us, and there will be no end to strife and contending for annexation to our Sister Province; praying you may intercede on our behalf.

I have the honor to be,
Gentlemen,
Your most humble and obedient servant,

(Signed,) JOHN FONTANA.

(*Translation.*)

AMHERST HARBOUR,
MAGDALEN ISLANDS, 12*th Oct.*, 1852.

SIR,—I have the honor to acknowledge the receipt of your communication dated Quebec, 9th September last, from the Legislative Assembly, requiring, for the information of the Special Committee appointed to inquire concerning the State of the Magdalen Islands, certain details and suggestions in answer to questions therein contained.

1. The lands are held in these Islands by the inhabitants, subject to the payment of an annual rent which varies from ten to twenty shillings currency for the land occupied by them. Some pretend that they are not bound to pay, having acquired the land by prescription or otherwise. This has given occasion to

several proceedings at Law which have been had in the Court of Queen's Bench at Percé, in the County of Gaspé. The documents which relate to the holding of these lands are emphyteotic leases and location tickets, signed and issued by the agents of J. T. Coffin, Esq., Proprietor of the Islands, who resides in England.

2. Agriculture is at a low ebb amongst us. The soil is rather poor and unproductive, except in the valleys and amongst the woods where the soil is light and the winds are less prevalent.

Trade, burthened with duties so considerable as those now levied, is not very flourishing, inasmuch as with the intention of avoiding that tax, the majority of our Fishermen have for some years been in the habit of going to fish off Labrador, and of there purchasing their supplies from the Jersey Houses. Trade might be rendered more flourishing, were some encouragement afforded to it by the absolute and entire withdrawal of the duties on articles imported for the use of the Fisheries; and by a bounty proportioned to the quantity of fish or oil being awarded to the proprietor of the ship, barque, barge, &c.

The most considerable Fisheries are those of the Herring, and the Mackarel, in May and June, and of the Cod during the whole of the summer. The Herring Fishery alone would afford the means of a comfortable living to the inhabitants, and increase the trade by several thousand pounds, if the Americans did not possess the right of running into the bays, and particularly upon the beaches for the purpose of drawing the seine net, a mode of fishing which proves very fatal and destructive to the fish wherever it is practised. The Mackarel is also taken by these foreigners, at the entrance of our Bays and Harbours. But for this impediment, the right of selling this same fish to the Americans, would create a considerable traffic, as they are able to pay for it a higher price than we can, putting into circulation both money and merchandize. The Seal Fishery which is carried on in March, April and May, is of all hunting and fishing the most profitable, were it not attended by so many risks and dangers; and accordingly, all Governments by whose subjects it is carried on, have evinced a disposition to encourage it, by a bounty of about £1 cy., per ton measurement of each vessel, in order to indemnify the proprietor for the risk incurred. In prosperous places, a system of Mutual Insurance prevails, for the same purpose.

Plaster, which abounds in these islands, and in some parts forms the staple produce of the soil, is the only mineral known. Its quality is excellent, and a great quantity was formerly got out for the markets of Quebec and Montreal.

3. I do not know whether these Islands are now of any advantage to the Province, but I believe that, by the encouragement of trade and the fisheries, they would become profitable. Their remoteness from all other parts of the Province would seem to require, in order to the due administration of justice and the law, the erection of a prison, without which neither can work properly.

4. The most advantageous, and the least expensive direction for a Postal Line, would be to Pictou, in Nova Scotia, distant about 36 or 40 leagues, and in the event of disappointment by contrary winds the mail might be left at George Town, (Prince Edward's Island) in order to be subsequently forwarded to Pictou with the Prince Edward's Island Mail. This is the present arrangement. This line of communication would be open one month earlier and one month later than any other, either with Gaspé or the Bay of Chaleurs.

5. Formerly, the morals of the inhabitants of these Islands were so pure, that without law or judicial institution other than the decisions of the missionaries and a few of the older inhabitants every difference was settled and determined; but now, the greatly increased population being brought into contact with strangers who have settled, and also with those who come and go, and who are ever prone to disorder and regardless of law and justice, where not enforced, in a place so much frequented, stand in urgent need of a gaol as a means of securing due respect

for justice and good order. A Municipal Council, which might in this place have been productive of great good, failed by being neither respected or obeyed, after the occurrence of some offences which they were unable to visit with punishment, being without an adequate protecting force. I myself acted as clerk to that Council, and I may assert that the institution had a good beginning, had there existed any means of enforcing the obedience of some, whose aim was the destruction of every thing. Nevertheless, more was done in a few days for the amelioration of the roads, than has been effected in all the time which has since elapsed.

Without a gaol, neither the Municipal Council, nor any well-ordered principle, can work in this place. Magistrates cannot command respect for law and justice; for after causes have been heard and determined, they cannot enforce execution, and are sometimes set at defiance.

A wretched fellow who has received assistance when in a state of total destitution, being asked for payment, when in funds, will overwhelm his creditor with insults and foul language, and proceed to sell his produce to a stranger. My experience in such payments has cost me more than a thousand pounds' worth of provisions and other goods, which I have advanced to persons for the most part destitute and in the lowest stage of misery, and it is to labour and industry only that I look for an indemnification.

Justice being duly supported, and improvements introduced, these Islands would become a flourishing Colony, and at comparatively trifling cost.

A Government warehouse, for the storing of goods and merchandize, imported here, liable to Custom Duties, would be of great utility. The want of this has frequently caused dissensions between the Collector and the Merchants, when the latter had not money sufficient for the payment of their duties, (high as they are.)

A depôt of provisions, in case of shipwreck in the autumn, such as we have often experienced, would be of great utility and advantage, as even when not required for the purpose of relief in such a case, such provisions might be sold by public auction for the benefit of Government, and purchased by the inhabitants and traders as a resource in time of need. My opinion is, that generally, such articles would pay more than the original cost and expenses, except in the event of a general scarcity. Formerly, or some time ago, the inhabitants and traders were put to inconvenience in consequence of the shipwreck of numerous crews on the Islands, too late in the season to communicate with the mainland.

Education is here at its lowest ebb, and in consequence of the poverty of most of the inhabitants, it is impossible with our allotment of the money granted, to find competent masters, especially for so many school districts, (eight). If Government should be disposed to assist us, and remunerate four brethren of the Christian doctrine for their time and labour, education would soon be seen to flourish among us.

There is generally a great deal of natural capacity in our youth. Hardly can the inhabitants support the burthen of supporting the teacher, and that of heating the school house. For nearly a year past, we have not had a single school in operation, (an alarming state of things!) and the children are forgetting the little they know. Of what use can Inspectors be, where there are no school-masters? The want of education is the most urgent of all, the supply of it most indispensable. This want is the cause of our benighted condition.

Agriculture, to which I return, might be encouraged by the erection of a mill. The greater part of the materials have been contributed, as well as a very small fund for that purpose, and the business advances at a halting-pace, on account of the inadequacy of the means. It appears indeed that the people are ready to do their utmost, but I am morally certain, that the end will not be achieved.

Submitting the foregoing answers and questions to the consideration of your Committee, with the most profound respect.

I have the honor to be, Sir,
Your most faithful and obedient servant,

(Signed,) ALEXANDRE CORMIER, J. P.
Pro. JOS. CORMIER, J. P.

(*Translation.*)

PERCÉ, *9th October*, 1852.

SIR,—Your letter of September last, only reached me on the last day of that month, having been erroneously addressed to me at "Gaspé" instead of at Percé, causing thereby a week's delay, but for which you would have received my answer at an earlier date. Taking a lively interest in every matter tending to the advancement of the district of Gaspé, a district of which so little is known, and which is consequently so neglected, I hasten to answer to the best of my ability, the questions you have done me the honour to submit as Chairman of the Special Committe, appointed by the Legislative Assembly of this Province, to enquire into the present condition of the Magdalen Islands, and to add such suggestions as in my opinion may be useful in the matter.

The advantageous position of the Magdalen Islands as regards the fishing trade, was the same as previous to the reign of Louis XV., king of France, and I think it was in the course of his reign that they were granted or conceded for that purpose by the French Government; they were, however, only occupied during the fishing season, for it appears that there were no permanent inhabitants on these islands at the time of their cession to Great Britain, and no one having since claimed possession thereof, they again became the property of the Crown.

In the year 1798, these islands forming part of the Province of Lower Canada, were conceded by order of His Majesty King George III., under Letters Patent, granted by Lord Dorchester, at that time Governor of the Province, to Isaac Coffin, Esquire, Captain in the Royal Navy, (subsequently Admiral Sir Isaac Coffin,) subject to certain charges and reservations, and among others that these Islands should be held in free and common soccage, (*franc aleu*) as lands held in Great Britain,—that every English subject should be at liberty to fish there, &c.—Clergy Reserves, &c.

A few years previous to this last concession, several families having immigrated hither from Acadia, established themselves here; this little population gradually increased in number, partly by the ordinary course of nature, and partly by the arrival of new emigrants from Nova Scotia, St. Pierre Miquelon, &c. Each party then established themselves as they pleased, without regard to the rights and even in despite of the proprietor and his agents, and it was only shortly before or about the year 1830, that a considerable number of them consented to pass title deeds. Up to that time the inhabitants only paid what they pleased by way of rent or acknowledgement, but their tenure was in no wise determined.

The titles granted are of two kinds, that is to say, long leases on fixed terms, not exceeding 99 years, or emphyteotic leases, and leases or concessions without any fixed term, at a perpetual and unredeemable ground rent, (*à rente foncire perpétuelle et non rachetable.*) The rents fixed by either form vary from 5s to 30s. a lot of emplacement, with reservation of minerals in accordance with the Letters Patent, subject to the public charges and conditions and revokable for non payment of rent.

The present proprietor is John Townsend Coffin, of the Isle of Wight, Captain in the Royal Navy, under and by virtue of the Will of the late Admiral Coffin, which contains various substitutions, the first of which is made in favour of Isaac Tristram Coffin, eldest son of the present proprietor.

An agitation fermented and renewed from time to time, during the last thirty years by a few turbulent inhabitants, has caused considerable difficulty. They pretended to deny the rights of the proprietor; proceedings were on this account instituted against some of the principal movers, and they at length saw the folly of resistance on these grounds. The proprietor is now generally recognized.

About 200 concessions have been granted since 1830, the greater part of them by the late Pierre Doucet, Esquire, at that time agent for Sir Isaac Coffin. These concessions are not subject to any feudal charge, and ought to rank under the tenure of Free and Common Soccage, which is the same thing as our *franc aleu roturier*.

There are persons who raise doubts as to whether or not the inhabitants of these Islands are Electors according to the true meaning of the Election Law, which requires that the Electors of Counties should be proprietors. I think that no doubt exists as to their right of voting, inasmuch as by our laws, a lease at a perpetual ground rent, (*à rente foncière et perpétuelle*) and the emphyteotic lease, have the effect of an absolute transfer of property during the period of the duration of these leases, and property thus leased is subject to the laws relating to real estate held in absolute property. If these doubts, however, have any apparent foundation, it would be advisable to provide therefor, for it would be unjust that a population of 2200 souls, should any longer be disfranchised.

So far, as respects the tenure. Upon this point, I may be permitted to add, that the greater part of the inhabitants having settled upon the land as squatters, without any authorisation, the result has been that the greater part of the lands occupied are of all imaginary shapes, circular, triangular, &c., &c., leaving here or there small or large vacant spaces, according to the nature of the soil. After several years occupation, and having in the course of that time destroyed all the wood in the neighbourhood, the settlers remove to the rear of the other inhabitants; by these means the lands are divided into patches, a circumstance, which is in my opinion, a great obstacle to agriculture, from the fact that it is impossible to form a good farm in localities where the inhabitants are so much in each others way. The woods are being destroyed in an alarming manner, by fires imprudently kindled at all seasons of the year, in clearings made by the inhabitants either for the sole purpose of insuring possession, or to prevent persons who change their residence annually, or other new comers from taking possession of their rear property, or from settling immediately alongside their enclosed lots. If this state of things continue, all the timber and all the wood in the vicinity of the fishing establishments will be destroyed in a few years, and unless coal be discovered, the inhabitants will be forced to abandon these islands.

The agents of the proprietors have endeavoured to introduce order, but this is beyond the power of a single individual, for the number of law suits he would be obliged to institute would ruin him. A Municipality is wanted, with special powers to make rigorous regulations which may be summarily enforced. The law indeed allows them a Council, but does not provide for the election of Councillors. I shall refer again to this subject.

With regard to agriculture, it has been acknowledged that the soil and climate are such, as to render these islands capable of producing whatever is grown within the District of Quebec and Kamouraska. I have seen excellent grain of all kinds, and as fine wheat as is grown in any part of the Province; delicious butter is also made here. The soil of Isle Entrée and Isle Brion, are of a superior quality. On the other habitable islands the soil is very good; such as it is,

a great part might be rendered good by cultivation and draining, by means of ditches, a great part of it also being sandy, requires incessant labour to keep it properly manured and to render it productive.

The habits of the inhabitants of the Magdalen Islands withdraw their attention from agriculture; they are either seamen or fishermen; the consequence may be easily inferred, that the lands cultivated are not in proportion to the extent of country occupied, nor to the population.

I perceive that I shall be obliged to defer until my next communication, my answers with reference to the commerce, the fisheries and the importance of these islands. For the present, I will only remark, that they are of great value.

I have the honor to be,
Sir,
Your obedient servant,

(Signed,) P. WINTER.

(*Translation.*)

Continuation of the answers of the undersigned, to the questions submitted to him by the Special Committee of the Legislative Assembly, on the subject of the Magdalen Islands.

The Herring and Mackerel Fisheries are carried on almost exclusively by the Americans, and by some few schooners principally from Nova Scotia. All foreigners, as if they were British subjects, come unrestrictedly, not only into the vicinity of, but absolutely touch at the islands, and even within the harbours; take Herrings and Mackerel with the *seine*, thereby causing a great destruction among these fish. It would, perhaps, be advisable to prohibit the use of the *seine* in this vicinity, an opinion, however, which I would not venture to give absolutely. Forty or fifty cargoes are thus made every spring, for the most part by foreign vessels.

It may be asked how it happens that the merchants, shipowners and inhabitants of these islands pay so little attention to the Fisheries. This question applies also to the traders and inhabitants of the mainland of this County, and indeed of the District of Gaspé. I shall endeavour to answer this question.

Dry Codfish, Whale, Seal and Cod Oil are, so to speak, the only production of our Fisheries, for which we have any considerable markets in the British and Foreigh markets, that is to say, Spain, Italy, Portugal and Brazil, to which we can go with any advantage. With respect to pickled fish, that is Herring and Codfish, out of the Province, there are not, I believe, any markets except the West Indies, which are easily supplied by the fishermen of Nova Scotia, Newfoundland and the United States of America, whence an extensive trade is carried on, almost entirely, however, by their own fishermen, who derive the more profit from the fact of their being protected by a Bounty, and an almost prohibitive duty of 20 per cent. on foreign cured fish, thus making a difference against us of at least 25 per cent., and these Fisheries having never been attended to by our shipowners and traders, they care little about making the experiment under such disadvantageous circumstances. This is one great reason that they pay so little or no attention to these Fisheries. They would, however, be the source of a considerable traffic, if we had markets to which we might take their produce with advantage.

This branch of our Fisheries, (Herring and Mackerel or pickled fish) being so to speak in its infancy, it would, in my opinion be advisable to adopt some means for its encouragement. That object might, as I have before stated, be attained by premiums, to be paid directly to the fisherman or shipowner, to coun-

terbalance at all events in part, the prohibitive duty I have just mentioned, or else that they should obtain admission for the produce of their Fisheries on the same footing as American subjects. Let us, in order to that end, grant them unrestricted liberty for their Fisheries, and the free navigation of the St Lawrence, and in despite of the bounty or premium which they receive, we should be enabled to oppose them in the market. Our gulf contains immense and inexhaustible riches, which are a subject of profit and enjoyed almost exclusively by foreigners, by reason of the too great liberty they have hitherto enjoyed on our waters, and of the protection and encouragement they receive from their own government.

I am in favor of Free Trade, but subject to reciprocity. If the United States refuse this, we ought to protect our commerce, and our industrial resources as they do theirs.

With respect to the Fisheries then, let them be rigorously kept, as they have been during the past summer, within the limits fixed by the Treaty or Convention of 1818, which even now gives them too great advantages, and let the industrial resources which I have just mentioned, be encouraged directly by a Bounty, and I would venture to predict that their 30,000 fishermen will very soon, like, ourselves be praying for RECIPROCITY. WHEN THIS IS GAINED, BOUNTIES WILL NO LONGER BE REQUIRED. This is a matter worthy of attention. I am of opinion that encouragement of this nature, extending over the whole District of Gaspé, would be productive of immense adantages, and more particularly to the said Islands; it would give a new stimulus to the trade of this District; two-thirds of the number of hands employed in the Cod-fisheries, would take the same amount of fish as now, for hardly more Cod is now taken, than when but half the number of vessels were employed thatare now engaged; the remaining third and more of these hands would been engaged in these new branches of trade and in the Whale Fishery, which, were itfollowed and carried on as it ought to be, would in a few years double the produce of some of our fisheries.

As to the mines, minerals or natural productions, which might be of some advantage to trade, it would perhaps be desirable that the Provincial Geologist should visit these Islands. If it be true, as some pretend, that plaster or gypsum indicates the presence of coal, the Magdalen Islands would merit particular attention in this respect. The plaster which is here found in great quantities, is not so white as that found in Nova Scotia. If this is a reason why it could be employed so advantageously for building purposes, it does at all events render it inferior for manuring purposes. Several cargoes of it are annually exported to Quebec and Montreal. Another natural manure also exists here, shell marl of a very fine white, which is also made use of by the women to whiten their houses instead of whiting, there are also ochres and red chalk, at the Isle d'Entrée.

Little progress has been made in agriculture, in the Magdalen Islands, but they must sooner or later profit by the encouragement which our Government appears to be so desirous of affording throughout the Province; in the meantime they form a very considerable market for the agricultural produce of other parts of the country, the greater part of the provisions being generally imported hither from Quebec and Montreal.

It has been a question for some years past, whether or not it would be as well or even expedient to transfer these Islands to the care of the Government of Nova Scotia, or to that of Prince Edward's Island, either of which which would feel honoured by the offer, and if we render no assistance to these Islands they would gain by the change, for they would receive a much greater share of attention than has hitherto been bestowed upon them. The inhabitants, however, prefer our Government. The Government is now I believe convinced of their importance, taking into consideration not only their present commerce, but also the extension of which that commerce is susceptible. It would be frittering away this part

of Lower Canada, (Gaspé) and have a bad effect upon the trade of this District, by opposing to us the competition of the fishermen of the neighbouring Provinces, our share of the gulf is so to speak, designated by these Islands, and we ought to retain them.

Let our fisheries be encouraged, either by reciprocity with the United States, or by Bounties, and let them be properly carried on and this District, (if these Islands be retained,) will take an important position in Canadian Commerce.

The Custom House revenues collected at these Islands, must not as elsewhere, be taken as a rule to estimate the value of the commerce carried on there, inasmuch as, 1st. Their provisions come almost exclusively from the Province, and consequently pay no duties; these provisions are considerable. 2ndly. Their trade is in a great measure carried on with Quebec and Montreal, whence they receive merchandize liable to duties which they, as consumers, really pay, but which being paid at these Cities, do not appear to their credit in the accounts of the revenue. 3rdly. The Collector of these Islands not having adequate aid at his disposal, cannot enforce respect for the laws nor protect the revenues; the consequence is, that ships from Foreign ports or from the neighboring Provinces can trade there with impunity, without paying duties; this takes place every year, not only in the neighbourhood of the islands, but absolutely in the harbours, in contempt of the laws and of the Government, and to the great detriment of the revenue and of the resident traders who complain that although they pay duties, they are not protected against Foreigners. To protect the revenue by placing sufficient aid at the disposal of the Collector, would have the effect of protecting the trade.

A judge resident at these Islands, with the powers of Surrogate of the Admiralty, (with a Court House and Gaol) would contribute largely to this end; their population, their commerce, and more particularly their position remote from all protection, would justify them in that respect.

Shipwrecks frequently take place at the Magdalen Islands, but very rarely in the case of ships coming up the Gulf, which may be attributed to the lighthouses situate beyond these Islands, and by which seamen make their courses, thus avoiding Bird Islands and others. The vessels wrecked are almost exclusively those coming down the River St. Lawrence, or out of the Bay des Chaleurs, whence it may be concluded that a lighthouse erected on the west point of the principal Island, Amherst or Magdalen Island properly so called, with a depôt of provisions for persons shipwrecked, would be of great utility, vessels thence taking their course, would avoid the long flat sounds which are met with in many places, the Isle Brion and the Bird Islands; the building might be constructed in such a manner as to serve for several purposes, that is to say, a Gaol and Court house, and the keeper of the lighthouse might be the Gaoler; the maintenance of the lighthouse might be in a great measure defrayed by an anchorage duty, payable by the numerous Foreign and other vessels coming into port.

The Magdalen Islands, though forming part of this Country, and having commercial transactions with different sections of the Province, and although their inhabitants are under the jurisdiction of the Superior Court, (Civil and Criminal) for this District, held at Percé and New Carlisle, are without any means of communication, other than that afforded by accident, a circumstance which must be very detrimental to their commerce; the laws of the Province frequently do not reach them for a long period after they have come into force. To have no communication with the chief places of jurisdiction, is an absolute denial of justice. There is no communication with the mainland of this County, except when the Judge goes to and returns from these Islands, to hold the Circuit Court. It would be then of great utility, and even just and necessary to establish a mail conveyance, and thus afford means of communication with the nearest

locality on the mainland, and the chief place of the County (Percé.) They might be allowed a mail, (going and returning) twice a month during the navigation. I am of opinion that a serviceable schooner might be procured for from ten to fifteen pounds per voyage. I know of no more effective or less expensive means of rendering an effective and useful service to commerce. The receipts would not pay the costs for a long time; but the cost would be a trifling consideration in comparison with the advantages which would result to commerce and justice.

(Signed,) P. WINTER.

28th October, 1852.

(*Translation*)

Continuation of the Answers of the undersigned to the Questions submitted to him by the Special Committee of the Legislative Assembly on the subject of the Magdalen Islands.

I stated in my last communication that a Municipal Council was given by law to the Magdalen Islands, but that the law did not provide for the election of Councillors. It is undoubtedly strange that by the Act 10 and 11 Vic. Cap. 7, by which the County of Gaspé was divided into three Municipalities, establishes the chief places, and among them Amherst Harbour, in the said Islands, as chief place for division No. 3, and that it was never remembered that these Islands have not been subdivided for any civil or legal purposes whatsoever, and that consequently the 3rd Section of the said Act does not apply thereto, and cannot be carried out. Two Councillors cannot there be elected for each Parish or Township as neither the one nor the other exist. Thus, although they are recognized in law as a Municipality, it is only in name the inhabitants are unable to exercise the powers granted to them; they must then either have been subdivided for municipal purposes, or a fixed number of Councillors should be elected collectively at Amherst Island.

The last census furnishes the information following for the year one thousand eight hundred and fifty one.

Population:—French origin, natives of the Islands or Canadians,....		1743
Do. do. of other Provinces of British North America,.....		163
French origin, of France and St. Pierre Miquelon.....		40
Of French origin,.....		1946
Of British origin, natives of the Islands,.....	133	
Natives of other Provinces and of the British Islands,.....	123	
		256
Total population,.....		2202

Statistics:—Number of Schooners belonging to the Islands, 37; tonnage, 1222; number of fishing boats employed in 1851, 100, Dry Codfish taken, 8000 cwts.; Mackerel, 600 barrels; Seal oil manufactured, 8000 gallons; Seal skins, 2000.

These productions, the value of which may be estimated at seven or eight thousand pounds currency, include those only the amount of which could, as nearly as possible, be ascertained. We must add the green Codfish, Cod oil, and Herrings, the amount of which could not be procured, but which are without doubt very considerable. I am informed that the produce of the Seal Fishery this year, is more than double what it was last year.

The number of schooners sailing from these Islands, being constantly employed for the most part in the fisheries, must add considerably to the items above mentioned, but I am unable to state in what proportions. These schooners, instead of fishing in the immediate vicinity of the Islands, go to St. George's Bay or Labrador, and there pass the greater part of the Summer, there they receive extra supplies of provisions, salt, fishing tackle, &c.; they there dispose of a great portion of the fish they have taken, and then return to the Islands with the balance. This is not owing, however, to the circumstance that the neighborhood of the Island is not a good fishing station; on the contrary, Mackerel and Cod abound there, and the quality of Codfish caught in that locality is superior to that of the fish taken at Labrador, so much so that the Americans, I am given to understand, give the preference to these fishing grounds.

The conduct of the inhabitants in this respect may be attributed to various causes, first of all these Islands have never enjoyed the advantages arising from rivalry in trade; this has always been in the hands of a very small number, who have always united in following the most pernicious and demoralizing system possible, that is to say, the system of almost unlimited advances on credit, (as long as the fisheries were abundant) causing of necessity sales of produce at extravagant prices, at I may say 50 to 100 per centum more than on the mainland of this County, where the prices are high enough.

The honest and industrious man, as well as the man of an entirely contrary disposition, allured by the offers of credit made them, notwithstanding they may have been unlucky for one or two seasons, alike remain in debt, and happy is the man who by hard labor can continue exempt from debt, and it is much to be regretted that these constitute by far the smallest number. The scanty harvest of the last few years has contributed much to retard their progress. They are consequently for the most part on the wrong page of the account book, and their credit being gone, they can, with difficulty, procure the equipment and articles necessary for their calling, which, as well as their energy, is thereby paralyzed, and though surrounded by the sources of wealth, they remain in a state of poverty.

In order to carry on fisheries in the vicinity of the Islands, vessels and equipments of strong and superior quality are requisite, inasmuch as they are there exposed to heavy weather, while, to pursue the same calling at Labrador or at St. George's Bay, equipments of inferior quality suffice; moreover there they are not under the eye of their creditors, and are thus enabled to obtain equipments, salt, &c., on better conditions. These are some of the reasons which induce the inhabitants to fish at a distance, and abandon the best part of the produce, while the American fishermen (always numerous in these latitudes) carry on successful fisheries in the immediate vicinity of the Islands.

The resources of the Magdalen Islands are infinitely more important than those of the mainland of this County, where we have virtually nothing but the Cod Fishery. It only requires that these resources should be known, in order to their being taken advantage of. Were these Islands to be transferred to the United States, their commerce would be ten times what it now is in a very few years. The inhabitants of the United States indeed well know how to take advantage of that part of the unlucky Treaty of 1818, which permits them to fish on the shores of these Islands.

About the end of March or the beginning of April, the seal hunting begins, either upon the ice which extends from three to six miles or more around the Islands (the chase is then made on foot); or when the ice has become detached the chase is carried on in schooners, which are, however, for the most part very badly rigged; it is thought that, after the departure or breaking up of the ice, seals might still be caught by means of nets or lines, as is done in the north. Afterwards,

or immediately after the departure of the ice, the Harbours and Bays are filled with Herrings to the whole depth of the water; after them comes the Mackerel, occasionally in great abundance, and last of all the Cod fishing as in the other parts of this County.

These Islands being almost in the centre of the Gulf are admirably adapted for a sailing station and rendezvous for vessels or ships engaged in the Whale fishery. They are enabled to start at least a month sooner than from any other part of this County, which would be of great advantage if it be true, as some assert, that the Whale is less fierce and consequently more easy to kill immediately after the disappearance of the ice. This important branch of our commerce, however, is unknown here, no one having ever attempted to introduce it. Our whalers all come from Gaspé Bay, whence they can only start late in the month of May, and yet, nevertheless, make prosperous voyages.

It is a matter of surprise that while surrounded with so many resources the inhabitants of these Islands are not rich. Whence does this arise? The result of monopoly which, with the system of credit combined with it, has been, a contracted system of commerce carried on on selfish principles, and which binds down the inhabitants and saps their energy. They must be encouraged by direct bounties to the fishermen, and the establishment of new mercantile houses abundantly provided with all kinds of rigging, &c. at low prices; they must be paid liberally, thereby establishing a liberal and enlightened commerce.

I shall return to this subject in my next.

P. WINTER.

Percé, October 21, 1852.

(Translation)

Conclusion of the Answers of P. Winter to the Special Committee of the Legislative Assembly appointed to make inquiry concerning the Magdalen Islands.

In the course of the preceding remarks, I have suggested the expediency, 1st. Of enabling the Magdalen Islands to avail themselves of the privileges accruing to them by the Municipal Law, by providing for the means of electing Councillors and for the preservation of the timber; 2nd. of removing all doubts which may exist respecting their qualifications as Electors; 3rd, of encouraging the fisheries by means of bounties, or otherwise; 4th. of protecting the revenue, and thereby the honest merchant who pays duties, by providing means of rendering the laws respected, and to that end placing a sufficient force under the orders of the Collector; (six men would suffice both to navigate the boat and to form a rural and river police); 5th. of establishing there the residence of a Judge, who may also be Surrogate to the Admiralty; 6th. of erecting a lighthouse calculated also to contain a Court-house and Gaol.

I think it my duty to subjoin the following suggestions, viz: 1st. In the matter of the Election of a Representative in Parliament, to provide for the case of a Writ of Election for the County of Gaspé, being issued or being made wholly or in part returnable in winter, but in such a manner that the inhabitants of these Islands may not lose the exercise of the elective franchise as heretofore; 2nd. To extend to these Islands the provisions of the Act 14 and 15, Vic. Cap. 92. Although the lands then are held *en franc aleu* (free and common soccage,) that Act does not, however, appear to apply to them, being applicable in fact only to lands situated within the "Townships," and these Islands not being erected into Townships.

I consider it my duty to add to what I have stated on the subject of a postal communication with the Islands, that a few pounds might perhaps be saved by

establishing it in connexion with Prince Edward's Island or Picton, but that the length of time in the transmission would be greatly increased by these round-about routes, and that the difference in the expense would be no economy; moreover, the Islands would have no direct communication with the chief Towns within the jurisdiction of the Superior Court of Gaspé.

I have now to offer a few remarks on some of the above suggestions.

1*st*. When the Municipal system was adapted to Parishes, or places reputed to be Parishes, a certain number of Councillors were elected collectively, and then there existed a Council duly constituted in these Islands, but since the law now in force came into operation, there has been no Council, for the reasons above recited.

2*nd*. With reference to the quality of the Electors, some might, perhaps, have a low opinion of them, judging only of their fitness to enjoy so valuable a privilege, by the contents of the last poll books. It is, however, to be borne in mind, that before the last General Election they were altogether disfranchised. Having never before been called to the exercise of that privilege, not only because the elections usually took place without any contest, but because they were never notified or invited to take a part in the nomination. It was to them a new, nay, a *strange* occurrence! and accordingly but few votes were polled in each of the two polls held, from a population of 2200 souls! On account of the difficulty of communication, the time allowed being too short, the election law formerly could not be put in execution in this County. Being appointed by law Returning Officer, I informed the Government of these facts last year, and a Bill was shortly after, during the last Session, presented to the Legislature to obviate the difficulty. That Bill became law (vide 14 and 15 Vict. cap. 87,) but like most of the laws relating to Gaspé, it is defective and does not effect the purpose intended; several instances of this defectiveness might be cited. Declaring in the preamble that the Magdalen Islands are inaccessible at certain seasons of the year, and difficult of access at all other times, no provision is made for the seasons when they are accessible, that is to say, six months in the year, the writ being made returnable in three months or ninety days after date. In its present shape this law is in operative, except when the writ is issued and made returnable at the opening of the navigation; and no kind of provision is made for the expense of an express to the Islands; (for the future, indeed, that difficulty will be removed, if a direct postal line be established between the mainland of the County and the Islands) but if the writ were issued in winter, the Returning Officer would be unable to execute the writ as the law requires, and he would be obliged to return, that he could not act for want of the means of communication with a part of the County.

3*rd*. A Gaol and a Court-house are indispensably necessary, as are also General Sessions of the Peace. Wanting these things, the life, honor and property of a population of 2200 persons are unprotected! and yet they are British subjects as much as ourselves. Consider their situation. Living nearly 150 miles (it may be said in the open sea) from the mainland, without a Judge, or prison, or any medium of communication with the rest of mankind during one half of the year. And even during the navigation, should a person be brought before a Justice of the Peace, charged with some offence, what can he do with him? He has not always a schooner at his command, nor the necessary funds to have him conveyed to the Gaol at Percy, (the nearest,) he is hardly inclined to incur that expense on his own responsibility, and he knows, moreover, that the Prosecutor could not proceed with the prosecution, even though the Sessions were to be held at Percy during the navigation. On complaints and prosecutions in Special Sessions, the Magistrates can indeed impose fines or penalties and sentence to imprisonment in default of payment. But what means have they of

giving effect to their decisions? And in case of contempt of their authority, and contumacy (either in civil or criminal matters) or refusal to submit to their orders or decisions, what is the remedy? They may be laughed at with impunity. The Magistrates feel themselves to be powerless. Moreover, not being well informed of their powers and their duties, for want of legal knowledge, apprehensive of doing too much or too little, they are obliged to overlook crimes and misdemeanours which are committed. It is surprising that with unlimited impunity no great crimes are committed. Yet there, as well as elsewhere, the primitive virtues and primitive manners have well nigh disappeared. We have assault and battery, selling liquor without license, false weights and measures, thefts and robberies, and other infractions of the law.

It is certain that offenders have evaded justice through the absence of sufficient means of bringing them to trial. Not only then are a prison and Sessions of the Peace required, but also a Circuit Judge, charged with the duty of assisting the Magistrates in the execution of their duties, and of causing their authority to be respected, as well as that of other public officers, from the Collector of Customs to Bailiffs and Constables. With respect to the latter class of persons, several of them having been threatened with ill treatment, and even with death itself, if they persisted in retaining their office, have resigned and refused to execute any order, and none are found in the Islands willing to fulfil their duties, in the absence of all protection and support in the exercise of them.

A Circuit Judge resident there might be Chairman of the Sessions, Surrogate of the Admiralty, (in matters having reference to the Customs and Maritime affairs) and one of the Judges of the Superior Court of Gaspé. This would facilitate the holding of two Terms (spring and autumn,) at which he might attend more readily and conveniently than the Judges of Quebec. If we are to have two terms of that Court, as authorized by law, the travelling charges of the Judges from Quebec would amount to £150 per annum. That sum would pay a large part of the salary of the third Judge who should reside on the Islands. Advantages would arise from this measure to other parts of the District, for instance, besides facilitating the holding of two terms of the Superior Court, the practice and the system of jurisprudence, &c., would be uniform, while now every Judge who comes to us from Quebec, has his own peculiar views, opinions and favorite rules of practice, all differing more or less from those of his predecessors. What has been said by one to be good and wise, is declared by his successor to be nonsense and absurdity! and this is not all that might be said about them. Three Circuit terms in the Islands and as many General Sessions of the Peace, in the first 15 days of January, May and September, and the terms of the Superior Court at Percy and New Carlisle being fixed in June and October, the Circuit Judge from the Islands might attend them. As to the Sessions in the Islands, I believe that for a few years, Juries might be dispensed with, and that the jurisdiction, accorded to those Courts (with Juries) might be granted to the Judge, he being assisted by at least two Justices of the Peace, saving always the right of appeal to the Superior Court, if need should arise. However, if it were thought more prudent to grant no such jurisdiction without the assistance of a Jury, the *venire facias* for the summoning of a Jury might be executed by the Clerk of the Peace instead of a Sheriff, that is to say, that Officer might be charged with the execution of this duty of a Sheriff, because the performance of this double duty would not be too onerous for a single person, at least for some years to come. He might also have the superintendence of the Gaol, and nothing need prevent these several duties being confided to the Clerk of the Circuit Court, until circumstances may permit a division of these Offices. This combination of several Offices is suggested only with a view to economy, and to form an amount of remuneration sufficient to secure the services of qualified persons.

The isolation and the toilsome voyages which would be the inevitable lot of the Judge resident in the Islands, might render it difficult to find a person qualified for the office. To obviate this difficulty, I think it would be advisable to hold out the expectation of promotion on the occurrence of any vacancy in the District, that is to say, that he would have the option of succeeding either of the Judges resident at Percé or New Carlisle, in case of a vacancy by death or otherwise.

I have heard complaints from respectable persons that no inquests have ever been held on sundry cases of death from unforeseen causes, apparently sudden or accidental, either by shipwreck or otherwise. Would it not be advisable either to authorise the appointment of a Coroner (who might also act as Sherriff) or to direct the Coroner of the County to appoint Deputies for the remote parts thereof?

I have now submitted to you, Gentlemen, all the information, and made all the suggestions which appear likely to be of use. If they are worthy of your attention and are productive of any beneficial effect, I shall hold myself fortunate in having furnished them.

I have the honor to be,
Gentlemen,
Your obedient servant,

(Signed,) P. WINTER.

Percé, 9th November, 1852.

Answers of Mr. Louis Thériault to certain questions put to him by the Committee.

(***Translation.***)

LEGISLATIVE ASSEMBLY,
COMMITTEE ROOM, *26th October*, 1852.

1. My name is Louis Thériault, and I am aged 35 years; I reside at the Magdalen Islands and was born there; I am a farmer and a fisherman, and owner of a schooner; I reside at *Havre aux Maisons.*

2. The lands are only let or leased to the inhabitants, and an agent collects the rents. These lands have been leased at various rates of rent by different agents for many years past, which has caused a great deal of dissension and discontent among the inhabitants of these Islands.

3. Agriculture is not in an advanced stage of improvement. Wheat is not very productive. The sea breezes and the high winds of the month of September diminish its yield. Oats, barley and vegetables succeed very well. All the trade proceeds from the Seal Fishery, and the Cod, Herring and Mackerel Fisheries. Plaster is found.

4. I consider them to be of great advantage to the Province.

5. They are about 50 leagues from Gaspé, or rather from Carlisle; and a small schooner might be chartered to make the voyage every fortnight or every month, during the season of Navigation. The expense would be about £15 to £18 each voyage.

6. In the first place, I consider that it would be to our advantage to remain united as we are to this Province; that if an Inspector of fish, for salted fish only, were appointed, a native of the Magdalen Islands and well versed in our traffic, to inspect our fish before its exportation, either to this Province or to other parts, we should sell our fish at a higher rate, whereas at present the fish of Newfoundland, which is of the same quality as our own, is sold at higher prices, being subjected to inspection; that it would be of great benefit to us to obtain some encouragement, either by way of bounty or drawback

for our fisheries, inasmuch as our resources are not equal to those of other parts of the Province in the raising of wheat, and as we are cut off from communicating with the mainland.

That trade would be more beneficial, if there were no Collectors of duties at those Islands; for in their absence the inhabitants would be able to dispose of their fish with more profit, and their means of living would be greater than they now are.

Joseph Lafrance has resided at the Magdalen Islands 15 years, and his age is 47. Having heard the evidence of Mr. Louis Thériault read, he corroborates it in every particular.

(*Translation*)

MAGDALEN ISLANDS, 14*th October*, 1852.

GENTLEMEN,—I could have wished that the Committee appointed to inquire into the state of the Magdalen Islands, had applied to any one but me, for I have always avoided mixing myself up with the affairs of these islands, long involved in difficulty, but as the Committee are desirous of learning my opinion, I will communicate my ideas on the subject, frankly and sincerely.

The Committee are desirous of knowing by what tenure the lands are held by the inhabitants. I believe that they are generally required to pay from nine pence to a shilling per acre, and in default of payment, for a year or two, the tenant loses his rights altogether, and can be turned out of his dwelling. This rent, which would not, in my opinion, be too high in a situation where land is worth anything, appears excessive in the Magdalen Islands, which are not all adapted to agriculture. The sight alone of these Islands would wring tears from the eyes of the farmers round Quebec, if they found themselves reduced to cultivate such land. We number about 350 inhabitants, occupying lands, and I estimate the whole of the Islands as capable of forming seven or eight farms such as are occupied by the best class of farmers around Quebec. The rents demanded will amount to about £350 or £400, perhaps more. Where shall such a sum be found? On the Magdalen Islands? Why they cannot support their inhabitants! Where then shall that sum be found? In the bosom of the ocean or upon the ice, if Providence guides a hungry cod to the hook of the fishermen, or a blind mackerel to the nets which are set for him, or in short a seal within reach of the hunter.—to these means of supply the poor people of these Islands are compelled to resort to make up the amount of their rents without the assurance of success. In addition to this evil, the timber necessary for house and ship-building is no longer found upon the Islands, so that the inhabitants are driven to seek their supplies elsewhere, or compelled to wait until the storm casts upon their shores some unfortunate vessel laden with timber, then those who have had the good fortune to be able to save a few pence, are welcome with their slender purses. In his frequent visits to his Islands, I think Admiral Sir Isaac Coffin was right in saying, that every thing had to be brought to the Magdalen Islands and nothing taken from them in exchange. At that day he was far from demanding the payment of rent by the inhabitants. Perhaps if Captain John Townsend Coffin paid a visit to the Islands, he would form an opinion similar to that of his predecessor.

If I consider the Magdalen Islands as of so little value, in respect of their soil, I form a different estimate of them in connection with their fisheries; I venture to affirm that in all the Gulf of St. Lawrence, there exists no place better adapted to be a fishing station than these Islands where herring, cod and mackerel abound. With a little encouragement, as a small bounty awarded to ships

which are regularly engaged in the fisheries—the poor fisherman would thus be enabled to repair the losses which he is constantly suffering, as the loss of anchors, cables, and other like articles. These continually recurring losses discourage the poor fishermen, for after having toiled all the summer, they find themselves, when all the expenses of the fishery are paid and the losses repaired, destitute of resources for the winter. I believe that the Province would derive great advantages from the Islands, if this encouragement were afforded to the fisheries, and if it were possible, without violating the strict rights of any, to keep away Foreigners, particularly the Americans, who do great mischief by fishing for mackarel at a short distance from the shore, perhaps fifteen or twenty arpents, and who assume the right of setting their nets for mackerel in the very interior of the bays; thus preventing many persons from taking the fish which they absolutely require for their families. The Seal Fishery, which is carried on in vessels from the tenth of April to the fifteenth or twentieth of May, deserve particular attention, for it is the principal resource of the Islands, and the prime object of the trade of the place; but in order to render it lucrative to the Province some encouragement is necessary; the season when it is carried on shewing clearly enough that it has its perils and its accidents, and those very deplorable ones. How many fathers of families have found their death in this fishery, and suffered the loss of their entire property, leaving their poor orphans in the most complete destitution; yet this pursuit of the seal is undertaken and carried on for the Province, and the latter has never yet thought of rewarding the poor fisherman nor of relieving his orphan left without support. I see this branch of the fisheries encouraged by our neighbors, and they are well repaid for the encouragement which they extend to it. They thus enable the fisherman to continue his exertions, and to contribute to the resources of the Province.

With reference to the means of establishing a postal line, the least expensive would, in my opinion, be with *Isle St. Jean*, for the distance is only eighteen leagues; but on the other hand the communication of intelligence would be more expeditious by Pictou, although the distance is twice as far as that of *Isle St. Jean*. Finally, I shall observe to the Committee that the most certain means of acquiring an exact knowledge of the Magdalen Islands would be to send thither a confidential person, qualified to form a correct opinion concerning them, and to collect on the spot whatever information he might consider necessary. These are my ideas in reference to the Magdalen Islands. Those of another person may be entirely different, and be blameless in my opinion. I am a bird of passage in these Islands, and I have no interest either in undervaluing them, nor in making them of more importance than they are.

(Signed,) CAJETAN MIVILLE, *Ptre.*

Circular transmitted to several Merchants by the Committee.

LEGISLATIVE ASSEMBLY,
COMMITTEE ROOM, No. 4, 17*th Sept.*, 1858.

1*st.* **Are you engaged in commerce, and for what period of time? Have you had occasion to extend your commercial transactions to the Magdalen Islands?**

2*nd.* **Under what tenure do the inhabitants of the Magdalen Islands hold their lands?**

3*rd.* **What is the present condition of agriculture and trade in these Islands, the state of the fisheries, and other industrial resources, whether mines, minerals, or otherwise, and what would be the most efficient means for their improvement should such improvement be deemed necessary.**

4th. Are these Islands of any advantage to the Province generally in a commercial point of view or otherwise?

5th. Which would be the most efficient and at the same time the least expensive mode of establishing a postal communication in that part of the Province?

6th. Be so good as to give the Committee all the information in your power relative to these Islands, and to make any suggestions, which, in your opinion, would be of use and service, in accordance with your knowledge and practical experience of the Magdalen Islands?

J. P. LEPROHON,
Clerk of Committee.

(*Translation*)

QUEBEC, *25th September*, 1855.

1. For these twelve years, I have had commercial relations with several of the inhabitants of the Magdalen Islands.

2. These Islands are under the Seigniorial Tenure.

3. Although the soil is generally good, but little of it is under cultivation; the inhabitants being engaged almost exclusively in fishing and taking seals. The oil and fish of these Islands are generally disposed of there to traders who export either to Halifax or to Quebec.

I have often heard inhabitants of the Magdalen Islands complain of the high prices demanded by the agents of the Seignior (Coffin) for the concession of lands.

4. I consider that these Islands are useful to this Province in a commercial point of view. Almost all the produce coming from them is taken in exchange for provisions and merchandize of the Province.

5. I consider that the most advantageous and the most economical plan for establishing a postal line between these Islands and this Province would be to send the letters and papers by post to Gaspé, and to cause them to be conveyed from thence by a small vessel chartered for the purpose.

6. I have frequently heard the inhabitants of these Islands complain of the injury done to them by the American fishermen coming to take fish in the bays and harbors of the Islands.

VITAL TETU.

(*Translation.*)

1. I have been in trade forty years, and have transacted a great deal of business with the Magdalen Islands.

2. On that point I know nothing but from hearsay, on which I do not place sufficient reliance to feel able to answer the question.

3. I know that there has been abundance of fine plaster, but I do not know that any other minerals exist; the produce of the fisheries and plaster constitute the export trade of these Islands.

4. These Islands are extremely important in a commercial point of view; but we do not receive a twentieth part of the produce; for the traders of Halifax holding articles which are not charged with heavy duties, like those held by the Quebec merchants, are able, in barter, to pay higher prices for the produce of the Islands. That produce I consider to amount, in an average year, to at least £50,000.

5. I see no other plan than that of a small schooner to make a voyage from Aubert Harbor to Charlestown on St. John's Island, a distance, I believe, of twenty leagues. The vessel which twice a week conveys the Mail from the latter place to Pictou would take charge of that for the Magdalen Islands.

6. I possess no further information on the subject.

(Signed,) F. BUTEAU.

(*Translation.*)

QUEBEC, *9th March*, 1853.

1. I have been engaged in the Magdalen Islands trade about fifteen years.

2. The Magdalen Islands are subject to no regular or even legal tenure. A part only of the inhabitants have obtained from the agents of Admiral Coffin, resident in those Islands, titles or contracts which are merely engagements on the part of the inhabitants to pay a certain annual rent, generally disproportioned to the extent of land occupied, (such extent being for the most part unascertained) but rated by the value which its situation might give to it. Of the inhabitants who have become parties to such engagements with the proprietor of the Magdalen Islands or his agents, some few have continued up to this day to make the annual payment to which they had pledged themselves; the rest have continued to hold their lands, without fulfilling their engagements, and the proprietor or his agents, too distant from the Courts of Justice to be able to adopt legal proceedings, permitted them up to the last few years quietly to enjoy their possessions.

3. Agriculture is not in a prosperous state in the Magdalen Islands, although the soil is very fertile, and manure of all kinds very abundant. The inhabitants being all fishermen pass the whole summer season on the fishing banks. I may, however add, that for several years past, a few have devoted themselves to the cultivation of their land, and have afforded a proof that they may gather in a harvest on the land without prejudice to that which the sea yields. The trade of the Magdalen Islands is very considerable, in comparison with their extent and population. It is carried on by two classes of persons, one class of whom have fixed establishments while the others only carry on an itinerant traffic. The first are subject to great injustice. They it is who make advances to the inhabitants—who furnish to them in the spring all things necessary for their fishing season, and in the autumn all that they require for their support during winter. They ought, therefore, to be the first paid at the close of the fishery; and yet the inhabitants very frequently carry their produce to the itinerant trader, who can afford to sell his goods at a cheaper rate for cash, leaving their outfitters to wait until the next season, and sometimes longer, for payment of their advances. Another injustice to which the resident trader is subject, is that the Collector of Customs at the Magdalen Islands, often finds himself unable, for want of the force necessary for the exercise of his duty and the execution of the law, to compel the payment of the duties imposed on merchandize imported by the itinerant traders, and this gives greater facility to the latter to undersell the resident merchants who can in no way escape payment of the duties.

The fishery is carried on in every direction round the Magdalen Islands, and yields an ample harvest not only to the inhabitants, but also to the fishermen of New Brunswick, Nova Scotia and the United States. The seal fishery is very productive and supplies in a great measure the oil which is imported to the markets of Quebec and Montreal. No where is the herring more abundant; it is only to be hoped that an American flotilla will no more be permitted to come every spring and take possession of the principal anchorage of the Magdalen Islands. The masters of those schooners make use of seines to complete their lading in a shorter time, and thus contribute to the destruction of the fish. It

would be too long to enter into a detail of the depredations which they commit, in taking possession of the beach, wharves, and whatever suits their convenience ; while the proprietors have no power to prevent them.

Cod, mackerel, herring and the seal oil and seal skins afford the principal articles for exportation from the Magdalen Islands and attract thither a crowd of American, English and French vessels.

4. My humble opinion is, that the Magdalen Islands are at present of very great service to the Province, that they will become of the greatest importance to Canada, and that it is the interest of Government to preserve them and watch over their prosperity.

5. In the winter season, all communication with the Magdalen Islands is cut off; the land nearest to them is Prince Edward's Island, the crossing to which may be made in eight or ten hours, and might be the medium of a mail line during the summer season, if it should not be found more advantageous to form a commnnication between those Islands and Gaspé.

6. The inhabitants of the Magdalen Islands, having always lived, until a very recent period, independent of all civil authority, are now but little disposed to submit to established law or to assist in its execution. In most cases it is totally impossible for the Magistrates and the Collector of Customs to fulfil their duties or to carry the laws into execution. As the Circuit Court holds its sittings but once a year, and that in the summer season, when most of the inhabitants are absent, it is not of much use.

The Islands accordingly require a judicial establishment on a more effective footing; the appointment of a stipendiary Magistrate, a professional man, having a perfect knowledge of law, and authority to enforce it in certain cases, and provided with a force or constabulary of a few men to cause the law to be respected and to give assistance to the Collector in the collection of the Customs.

The erection of a Gaol has already been frequently submitted to the consideration of Government, and is of the most urgent necessity inasmuch as the nearest is that of Gaspé, with which place there is no communication in the winter season.

The vessel despatched by the Canadian Government for the protection of the fisheries, ought be sent to the Magdalen Islands at the opening of the navigation to remain there about a month (May) that being the season when the Americans come to fish for herring with seines, after that month, the north side of the Gulf is free of ice, and then the Government vessel might visit the Coast of Labrador to return and make the circuit of the Magdalen Islands before the autumn.

These are, in my opinion, some of the means by which Government may protect and encourage this part of the Province, which has remained too long unknown and neglected, and which, by its situation in the centre of the Gulf of St. Lawrence, will become the commercial harbor (*entrepôt*) of all its fisheries, being, as it is already, the rendezvous of all fishing vessels from the Lower Provinces and the United States.

A. PAINCHAUD.

QUEBEC, *5th November*, 1852.

SIR,—I beg to acknowledge the receipt of your letter of the 4th instant, requiring of me to furnish certain information respecting the Magdalen Islands, to the Legislative Assembly, and in answer thereto, permit me to furnish you with the following information, as the vessel in which I have taken my passage is immediately about to proceed to that place, and which will prevent me waiting personally upon the Committee :

In answer to your first question, I beg to reply in the affirmative.

2*nd.* The lands are held by the Admiral Coffin individually, by Letters Patent, the tenure of which is held by leases granted in the name of the Admiral by the Agent. I am not aware whether the leases are valid in law or not; the inhabitants complain of the heavy rents they are obliged to pay for the quantity of land occupied, considering that no quantity is specified in these leases; it is also to my knowledge, that a new Agent arrived this spring, and who, in the name of the Admiral, notified the inhabitants to take out new leases; some consented and the others refused.

3*rd.* The agricultural resources of the Islands would be pretty good, if the inhabitants were provided with grain for sowing; and the trade would be good enough, if the merchants were not obliged to give so much credit during the winter to a part of the inhabitants, by reason of their neglect of the cultivation of their lands, and trusting entirely to the produce of the Fisheries, and should the seal fishery be a failure, they are then very badly off. I know the Islands to be the best fishing places, herring, mackerel, codfish, and seals abound in large quantities. I know that there is excellent plaster, and a sort of red paint or ochre to be found, some of which I have used; I have seen yellow and white minerals, the value of which I am utterly unable to state; and I consider that it would be very beneficial if government were to grant a bounty on the tonnage of vessels during the time they are employed in the Fisheries, as in the United States.

4*th.* I consider the Islands to be very useful and advantageous to the Province in every sense, more particularly if the government would assist in making roads and doing something towards the Fisheries, and I also consider a resident Judge for some years, to establish the law, and put the same on good footing, would be of great benefit.

5*th.* I consider as the best means, a schooner or vessel during the season of navigation, from the 1st May to 20th December, to communicate with Paspebiac in the Bay des Chaleurs, in the County of Bonaventure, with the Magdalen Islands, and from thence to Picton, New Brunswick; by reason of the trade with New Brunswick, the vessel would also be of great service in transporting shipwrecked mariners and others.

6*th.* I consider that an armed vessel should be sent down immediately upon the opening of the navigation, on account of the Americans and others, coming there to trade, without paying any duties, or such a sum only as they wish, and I have a personal knowlege that this last spring, an American was condemned by a magistrate for stealing mackerel of the inhabitants, but on account of the insufficiency of the laws, he was allowed to go at large; the vessel would be moreover of great service in preventing the Americans taking herrings and other fish with the seine instead of a net, and I have no doubt of the beneficial result, if a law could be passed prohibiting the use of the seine altogether, and it would be of much greater benefit, if the money annually set apart for the Schools, were to go to the improvement of the Fisheries.

I have the honor to be, Sir,
Your very obedient servant,

HILAIRE NADEAU.

J. P. Leprohon, Esquire,
&c., &c., &c.

QUEBEC, *30th September*, 1852.

SIR,—I have the honor to enclose answers to the questions that have been submitted to me by the Committee appointed to inquire into the state of the Magdalen Islands.

I have the honor to be, Sir,
Your most obedient servant,

H. LEMESURIER.

J. P. Leprohon, Esquire,
Committee Room, No. 4,
House of Assembly.

Answers.

1. I have carried on business in Quebec as general merchant since the year 1823, and during nearly the whole period have had extensive transactions with some of the fishing establishments in Gaspé and the Coast of Labrador, but more directly with those of the Magdalen Islands.

2. I believe in free and common soccage. The lands are held by Captain Coffin, under a grant from the Crown, made to his uncle, Sir Isaac Coffin.

3. The soil and climate are not favorable for agricultural purposes, and the inhabitants, numbering about twelve hundred, are chiefly employed in the Fisheries, and perhaps the best means of improving their condition, would be to grant a bounty upon fish. There are no mines or minerals in the Islands.

4. I do not think they are of any great service to the Province. The trade with them being confined to a few supplies of breadstuffs in payment of fish and gypsum.

5. These Islands are so distant, that I know of no means of establishing a Postal communication, except at a great expense. Perhaps the best mode would be to run a line of Packets between Charlotte Town and Prince Edward Island, and the Islands.

6. Answered above.

H. LEMESURIER.

Quebec, 30th September, 1852.

QUEBEC, *29th September*, 1852.

SIR,—I have the honor to acknowledge the receipt of your communication of the 22nd instant, desiring information regarding the Magdalen Islands, and regret it is out of my power to furnish the same, for beyond a few shipments made annually of flour, &c., for account of Halifax Houses, I have no business connections in that quarter, and am totally ignorant (personally) of their capabilities or wants, but I have always understood that their Fisheries are of the most valuable description, and only require to be cultivated, and Postal communication extended to the Islands, to make them a source of Revenue to our Province.

I have the honor to be, Sir,
Your obedient servant,

H. J. NOAD.

To J. P. Leprohon, Esq.,
Clerk to Committee,
House of Assembly.

(*Translation*)

Province of Canada,
District of Gapé,
Magdalen Islands.

GENTLEMEN,—The Committee appointed by the Legislative Assembly to enquire concerning the present condition of the Magdalen Islands, desire to have my opinion, and consult me in a series of questions to which I consider myself bound to give answers, and I shall consider myself sufficiently honored, if my suggestions meet the views and contribute to the good contemplated by the Committee. Residing at a great distance from that important locality, they could not, of course, decide and settle in a judicious manner certain questions requiring a practical knowledge and study of the places themselves, concerning the condition of which the opinion of the principal inhabitants is desired. Having the honor to be one of the latter, I shall endeavour to answer as briefly and explicitly as I am able, in order to fulfil the task which the Committee has imposed upon me, to the advantage of the population of those Islands, and for the information of the Committee.

It is enquired, under what tenure the lands in the Magdalen Islands are held by the inhabitants.

The Magdalen Islands are not held under the Seignioral Tenure, but in Free and Common Soccage. They are the private property of Mr. John Townsend Coffin, a Captain in Her Majesty's Royal Navy, residing in England. The proprietor has long had an agent in these Islands, who delivers certain titles or leases on annual rent in virtue of which a small number of inhabitants hold their lands; but these titles, under private signature, are so negligently drawn up, and often informal, that their legality becomes more and more doubtful every day, and the agency being greatly neglected by the late agents, and the payments irregularly made by the inhabitants, the rents have accrued and considerable arrears have accumulated.

The inhabitants insist upon a certain right of possession which has for a long time been a subject of dispute with both parties. It is worthy of remark, that scarcely one half of the holders of property have such titles, leases on annual rent or emphyteotic leases. They hold their land without any title whatever, except that of possession for 10, 20, 30 and 40 years. These difficulties between the agents and the inhabitants on the subject of their lands which they hold without any title but that of possession, are an old affair, which it is important to settle as early as possible, because it diminishes the real value of the land, fetters trade and agriculture, impedes the improvements which the proprietors might make on their respective lands, and generally is a bar to progress. These difficulties, I repeat, keep a population of 2700 souls in a state of uncertainty, uneasiness and anxiety with respect to the right of holding property on which every inhabitant has erected his buildings, and possesses improvements more or less considerable.

Agriculture is in its infancy; the islanders cultivate no more than what is just sufficient for their own consumption; the soil is, however, fertile, but it would need to be improved by the ordinary means. It is not by their agricultural produce that the population are generally supported and maintained. Their means of subsistence depend almost entirely on the produce of the Fisheries.

Trade is on the increase, and ought to be encouraged by the same means, and the same protection which are accorded by our neighbours the Americans. These Islands export every year to the value of £15000 in produce, viz: oil, Seal-skins, dry and green Cod-fish, Herring, Mackerel, &c. exported for the most part to the United States and the neighbouring Provinces of Nova Scotia, and our own Canada, and the importations are received in exchange from the same Provinces.

When I say that the Islands have exported to the value of £15000, I only state the amount of which an account has been kept, for the American and Foreign Fishmen take fish without rendering any account of it to the Officer appointed to collect it for the Custom House, and this is a reason why the immense quantity of produce exported indirectly to foreign countries remains unknown. The reason why so large a quantity of produce is exported to the neighboring Provinces and to the United States in American fishing vessels, is found in the fact, that their Fishermen are too often Canadians who find greater advantages with them in favour of that branch of commerce which is especially encouraged by their Government. This entices, on board their vessels all Fishermen, particularly those of these Islands, whose activity and skill in this pursuit is greatly appreciated by them.

In consequence of certain measures of encouragement in the shape of bounties, foreigners carry off every year a considerable portion of our Fishermen, the fruits of whose labours become theirs. The reason of this, I repeat, is that those Governments bestow more encouragment on that particular branch of commerce than does ours, which holds the principle of not favouring one branch of industry more than another.

The Fisheries of the Magdalen Islands are abandoned to Foreigners, who fish, and destroy, without ceasing, one of the finest and most productive Fishing-grounds in the world, and make the most of it without restriction or hindrance of any kind.

It is full time to put a stop to this, and to pass regulations binding on all; without these, not only the Fisheries will be ruined, but their immense produce will be carried away to other parts, to the great loss and damage of this Province,

The least encouragement by moderate bounties would keep our Fishermen at home, and the produce of their skill and enterprise would remain in the Province. The American Fishermen have every advantage over ours; their bounties enable them to provide themselves with fishing-tackle and complete outfit to ensure success in their fishing, while our Fishermen are left wholly unaided, "unprotected even in their persons" in these Islands. These are reasons why our most productive Fisheries are not properly turned to account by our own people, and remain unavailable to this Province, while they are eminently useful to Foreigners, who profit by them while they ruin them with the destructive *seine*-net, a means of taking fish which is strictly forbidden in other Fishing-grounds.

The condition of our Fisheries is indisputably alarming to any one acquainted with these matters; for if the drawing of *seine*-nets is not immediately prohibited and forbidden, I predict, that in ten years the Herring and Mackerel will be destroyed in those parts. Five or six hundred sail of American vessels have been seen in our Gulf in pursuit of the Mackerel, which have become of late years the most important of Fish, selling at excessive prices in the United States. Notwithstanding the absence of all protection to our commerce, the traders and inhabitants find a tolerable subsistence, and would certainly be better enabled to do so if they received a little remuneration, by way of bounty or otherwise. If such were the case, I venture to predict that, ere long, this part of the Province would equal Upper Canada in point of improvement and prosperity. No mines are known to exist here, no minerals; Plaster is worked to a trifling extent but it exists in great abundance, and is turned to great account on the lands of the Province.

The question is put, whether these Islands are of use to the Province in a commercial sense or otherwise.

I reply without hesitation, that if the Government should allow them to pass under the dominion of another Province, I should consider the Act as a great calamity to this Province, and a fortunate acquisition for the Province which should welcome them to its protection, for as regards Canada, being duly protected, they would form the key and mart of Canadian Commerce. What induces me to say that these

Islands are of the highest importance, is, that the Americans endeavour to get a footing on them and are desirous of establishing claims to rights, which by Treaty do not belong to them. Unrestrained by that, we should see them arrive in swarms to make themselves masters of the Fishing-grounds on which they always look with an envious eye.

Even in their present state, our Fisheries are sufficient to supply our whole Province with every kind of fish; what would they become then if duly protected and encouraged like the French and American Fisheries? They, with one or two small armed vessels, effect a striking difference between their Fisheries and ours.

Should a War occur, you have these Islands as a key, as a rampart, and they might, by their aid, check and repulse every hostile attempt at an insignificant cost. Do you require fish, and a suitable place for curing it? that you have in the Magdalen Islands. Do you want skilful and experienced Fishermen in order to establish some great trade in fish, whether with Brazil or with the West Indies, you may still have recourse to the Islands. The proximity of the Fishing-grounds is a great thing; the Americans and others are forced to fit out at great cost, hundreds of ships, to catch the fish which swims at your doors. With this they carry on their trade with Brazil and the Indies, while we, profiting by our proximity, could carry on the same trade as they do, and to better advantage than they can.

The great consumption of Canadian produce in these Islands renders them highly beneficial to the Province, whereas if they did not belong to the Province, American articles would be preferred, on account of their superior cheapness, and the profit which the traders might extract from our native productions given in exchange for their produce and merchandise. These they can sell very cheap, on account of the demand which they find for our produce in their country. Besides, is our Canada so extensive as to give rise to the strange idea off certain of the insulars, dissatisfied and visionary persons, that of cutting off from it one off its finest portions? its richest part? a part which must necessarily increase in value whenever it becomes known?

Inquiry is made as to the most advantageous and most economical means of establishing a postal line to these Islands.

I should propose a line to be established by means of a small, light and fast sailing vessel which would receive the mail and transport it to Pictou, touching, from time to time, at Gaspé, for the convenience of communicating with that port for judicial purposes; but as to the mail, I should propose the route by Pictou, by which you can communicate more speedily with the whole continent.

I think that a suitable schooner might be procured for the sum of £150, per annum, that is to say, from 10th May to 10th December in each year. If this postal line were once established, I am convinced that it would open trade and become the foundation of a measure of protection which is greatly needed.

It is requested that I should offer all suggestions and communicate all information which I may consider useful or necessary.

I shall begin by asking, in the first place, for an important object, wanting which nothing can be done effectually in these Islands—a common gaol. For many years this has been called for and acknowledged to be necessary as the population increases, and we have seen and do still see around these Islands, 500 or 600 foreign vessels carrying nearly 4500 men, one half of which moor in our harbours where the crews commit ruinous depredations. These things have been experienced in late years on the neighboring Island of St. John's, and these Fishermen are looked upon as being the scum of the people. Judge by that, whether we require a gaol. Should the Magistrates convict an individual of this class, where can they place him in custody? The mere name of a gaol would produce a great effect on our rising population. At present, foreigners, knowing the situationof these Islands, put no restraint upon their actions; and too frequently the Americans, when in suffi-

cient numbers, are our masters, and to illustrate this we have seen things done by them which are horrible to be described.

A part of this gaol might be used as a Court House, for on this Circuit it is difficult to find one; such a building should be solid, and proof against all violence, yet would not cost more than £450 or £500.

We should necessarily require a Stipendiary Magistrate, with a few men, (four) one of whom might act as Gaoler, and the remainder as Peace Officers.

They would be serviceable to the Collector of Customs, by assisting him in the collection of the public revenue of the Islands; for at present that officer is a cypher, as any one would be without protection, and their presence would be sufficient to quell all resistance offered by strangers refusing (as they often do) to submit to the demands of the Officer of Customs; the public revenue suffers much from this daily resistance to its claims; the anchorage dues might also be collected, which are payable on every entry of a foreign vessel, and this would at the close of the year, produce a handsome sum, particularly when so many foreign vessels visit us.

The Magdalen Islands have never received that part of the public money which was voted some time since by Government, for the improvement of roads, bridges, &c., in the District of Gaspé; and, in this respect I should remark and call attention to the fact, that, our roads and bridges greatly need such aid, for they are in a state which proclaims the want of the money, and moreover, these Islands have been, through the carelessness of the parties concerned, unjustly deprived of that grant.

Education is in a lamentable state here from the impossibility of finding teachers, who on account of the remoteness of our position, cannot be prevailed upon to banish themselves so far from home.

This is, gentlemen, a succinct account of what my experience and practical observations on the spot have enabled me to report to you (according to your desire,) very rapidly written it is true, in order that I might avail myself of the last opportunity offering to convey it to the mainland; but, if at any time, you should desire to receive from me any information or suggestion relative to any point soever connected with these Islands, I shall furnish it with the greatest of pleasure, and shall consider myself highly honored.

The whole nevertheless, humbly submitted, by your obedient servant.

(Signed,) J. B. F. PAINCHAUD.

(*Translation.*)

Deed of lease produced by Mr. J. B. F. Painchaud.

Before the undersigned Witnesses came and appeared Pierre Doucet, Esquire, acting in his capacity of Agent to Sir Isaac Coffin, Baronet, Admiral of the Red, in the Service of Her Britannic Majesty, proprietor of the Magdalen Islands, by virtue of a formal power of Attorney in due form; which said Sieur Doucet hath acknowledged and confessed to have leased in the same name and capacity, subject to an annual rent from henceforth and for the period hereafter mentioned, the said rents carrying *défaut* whensoever the same may accrue, with warranty against all troubles and hindrances generally, whatsoever, unto Mr. Alexis Painchaud, Ship Captain, residing in the said Magdalen Islands, hereunto present and accepting thereof for himself, his heirs and assigns, during the continuance of the present emphyteotic lease of twenty years or more, if the said lessee shall continue to pay regularly as hereinafter mentioned, that is to say:—

A parcel of land called *Grève*, situate on the shore of Amherst Island, heretofore occupied by Malilm Bourque, having who had a lease on the 25th day of July,

in the year eighteen hundred and thirty-two, which lease is hereby annulled, he having failed to fulfil the conditions and to pay the rent as laid down in the said lease, as the said land now stands in full and peaceable possession of the the said Captain Alexis Painchaud, with which he delares himself content and satisfied; to enjoy the same by the said lessee, his heirs and assigns during the said period, as he may think proper, without authority, however, to the said lessee to sub-lease the said land to several individuals, the said lease being so made for and in consideration of one quintal of merchantable codfish, or of the sum of ten shillings currency, annual and emphyteotic rent; the said rent being unredeemable, and payable to the said Proprietor, or his Attorney residing in Amherst Island, one of the Magdelen Islands, (or at Quebec); and which said rent the said lessee doth promise and bind himself to pay in each year to the said lessor or his successors at the said place, and the first yearly payment whereof shall become due on the first day of September next; the said lease being also subject to the following conditions: that if the said lessee, his heirs or assigns shall neglect to pay the said rent during two consecutive years, then and in such case this deed shall be null and void.

Done, in duplicate, at Quebec, this 15th day of May, one thousand eight hundred and forty, the said Agent and the said Lessee having signed.

(Signed,) PIERRE DOUCET,
Agent.

(") A. PAINCHAUD,
Lessee.

(Signed,) J. O. BRUNET,

(") F. W. BRUNZT,
Witnesses.

A true Copy of the original in the possession of the Lessee.

J. B. F. PAINCHAUD,
N. P.

(*Translation.*)

COMMITTEE ROOM, LEGISLATIVE ASSEMBLY,
17*th September*, 1852.

Questions submitted to certain officers of the Crown Lands Department.

1. What is your office or employment in the Crown Lands' Department?
2. Are you able to furnish any information relative to the Magdalen Islands?
3. Under what tenure are the Lands held by the inhabitants of the Magdalen Islands?
4. What is the state of Agriculture, Commerce, the Fisheries and other sources of wealth, as Mines, Minerals, &c., and what would be the best means of effecting improvements therein, if improvements should be necessary?
5. Are these Islands useful to the Province in general, commercially or otherwise?
6. What would be the most advantageous and economical mode of establishing a Postal line in that part of the Province?
7. Have the goodness to state to the Committee all you know concerning these Islands, and to furnish all the information and suggestions which you consider to be useful and necessary, according to the experience which you have had of those Islands?

P. LEPROHON,
Clerk to the Committee.

(*Translation.*)

Answers of Jean Langevin, Esquire, to the above questions.

1. Corresponding Clerk for Lower Canada.

2. I know very little about these Islands, having been there only once, about the year 1809.

3. Those who have taken titles from the Proprietor, pay him, I believe, an annual rent, in codfish, of one or two quintals. There are others, who have taken no titles, on account of the high rates of rent.

4. I have no positive information on these different subjects, but it is a matter of public notoriety that the inhabitants of these Islands are frequently molested and even pillaged by the foreign fishermen and other persons; and this, together with the high rate of rents, paralyzes their industry, and from time to time has the effect of causing many to go away and establish themselves in other places. I should recommend that a small armed vessel, well-manned and equipped, be stationed during the season of navigation, to afford to the inhabitants of these Islands the necessary protection to their person and property; to the Officer of the Customs the means of collecting the Provincial revenue in a regular manner, and to Justices of the Peace and Officers of Militia a means of securing general respect for the Laws.

5. These Islands, being favorably situated in the midst of the Gulf of St. Lawrence, from their excellent harbours, the minerals which they contain, and the abundance of fish in the waters which wash their shores, are capable of great improvement, as regards industrial and commercial enterprise, and of becoming a valuable dependency of this Province.

6. It would be, I should think, by way of Prince Edward's Island.

7. I have nothing either to communicate or to suggest the following: The Government should endeavour again to become proprietor of those Islands, by paying an indemnity in money or by a grant of public lands in some other part of the Province to the present proprietor; it should then grant licenses to occupy the land on certain conditions, (but rent free,) to the present occupiers and to all other persons who are desirous of settling thereon. The right to these licenses which should not be transferable ought to be forfeited after a certain absence. No license should be granted for more than a certain width of land in front and a certain extent in superficies.

The Clergy Reserves, made on these Islands, should be conceded according to this plan, and other lands granted to the Clergy in exchange, I am inclined to believe that by the adoption of this plan, the productions of these Islands and the produce of the Revenue, would in a short time be so greatly increased, that the outlay in carrying out its execution, would be amply though indirectly repaid.

(Signed,) JEAN LANGEVIN.

Crown Lands Office,
Quebec, 24th September, 1852.

Answers of P. L. Morin, Esquire, to the same questions.

CROWN LAND'S OFFICE,
QUEBEC, *5th October*, 1852

1. I am a Sworn Surveyor, and employed in the Crown Land's Office as Draughtsman.

2. I do not know under what tenure the lands in the Magdalen Islands are held.

3. Neither do I know what is the present state of Agriculture, Commerce, and the Fisheries there.

4. I think that improvements are needed in these Islands, because it is said that the inhabitants of that region are not very well off.

5. With reference to their geographical position, &c., I certainly believe that these Islands are very important to the Province of Lower Canada.

(Signed,) P. L. MORIN,
Principal Draughtsman to the Surveyor General's Office,
Crown Land's Department.

QUEBEC, 27*th October*, 1252.

SIR,—

I have the honor to inform you that the Special Committee composed of Messrs. Fournier, Chairman, Prince and Christie, and of the Honorables Messrs. Cameron and La Terrière, appointed by the Legislative Assembly to inquire into the existing state of the Magdalen Islands, with instruction to make like inquiry and take the like steps to acquire information concerning the Western part of this Province above Lake Huron, are desirous of procuring information and suggestions from you in answer to the following questions:—

1st. What should be the means to adopt to have a prosperous Commerce and Agriculture above Lake Huron, either from below or above the Sault St. Marie to the western extremity of the Province, not only along the shore of Lake Superior, but in the interior part of the country to the furthermost limit of the Province?

2nd. Is any portion of that country susceptible for the settlement of Emigration, and if so, what portion?

3rd. Of what importance are the Fisheries on Lake Superior at present?

Will you have the kindness to transmit your answers to the above queries, as well as any suggestions or information you may be possessed of, that will conduce to the prosperity of that part of the country.

I have the honor to be,
Sir,
Your obedient Servant,

J. P. LEPROHON,
Clerk of Committee.

SAULT ST. MARIE,
21*st January*, 1853.

SIR,— I have the honor, for the information of the Special Committee appointed to inquire into the state of the Country in the neighbourhood of Sault St. Marie, to give the following information and suggestions in addition to my reply of the 9th instant, to yours of the 22nd September.

I beg leave to enclose herewith a statement of the traffic carried on between Lakes Huron and Superior, on the United States side, for the year 1851. I have not yet been able to procure that for 1852, but have good reason to believe that the gross amount of business exceeds that of 1851. A large quantity of copper has remained at the mines in consequence of the scarcity of freight; another large Propeller has been transported over the Portage this winter. With regard to the Fisheries on Lake Superior, I have ascertained from the best authority that 30,000 barrels of fish might be put up yearly on the North Shore of that Lake. The difficulty

of transport from Lake Superior to the market prevents men of capital from engaging extensively in the Fisheries. The Americans are ruining some of our best fishing grounds on Lake Huron; British subjects being at the same time strictly prohibited from fishing in American waters.

I would respectfully suggest, the survey of the land on the St. Mary's River, lying between the N. W. boundary of the Garden River Reserve, and the S. E. end of Mr. Vidal's survey, that the front lots be 50 acres, with a front of 4 chains; that the price of land for the present should be 4s. per acre for front lots, 2s. 6d. inland lots, Village lots, from £1 upwards, terms cash.

All descriptions of timber are now getting scarce at the Sault. Firewood cannot be obtained nearer than from 2½ to 3 miles, this scarcity has not arisen from the consumption in the Settlement, but by the inhabitants transporting large quantities of valuable timber of all kinds (yearly) to the United States, very much to the injury of the Crown Lands; as Agent for the Department, I can do very little to protect the timber, as in the present state of affairs Magistrates are mere ciphers.

I would, most respectfully, recommend to the Committee, an immediate settlement of the Land Claims at the Sault; some of the inhabitants have been on the land for 40 years, all might be settled in a short time, as out of upwards of 50 claims, there are only 5 conflicting; the parties would be glad to obtain titles at 4s. per acre, the price valued by an Order in Council some years ago.

A Gaol is very much required at the Sault; during my residence, of nearly 10 years, all manner of crimes, from theft to murder, have been committed with impunity.

For information regarding the wants and resources of this part of the Province, I would respectfully recommend to the Committee the Honorables W. B. Robinson and J. Ross.

I have the honor to be, Sir,
Your most obedient servant,

JOS. WILSON.

J. P. Leprohon, Esquire,
Clerk of Committee,
Legislative Assembly,
Quebec.

RETURN of Goods, Provisions, &c. transported over the Portage at Sault St. Marie, Mich., U S. to Lake Superior, and the amount of Copper which was transported from Lake Superior during the season of 1851.

Barrel Bulk.	Cattle and Horses.	Hay.	Bricks.	Lumber.	Shingles.	Steel and Iron castings.	Copper.	Fish.	Iron Ore.
52847	370	Tons. 322	M. 76	M. 418	M. 182	Lbs. 370,000	Tons. $1585\frac{1338}{1000}$	Bbls. 3590	Tons. 383

SAULT STE. MARIE, *9th November*, 1852.

SIR,—

I have the honor to acknowledge the receipt of your letter of the 22nd ultimo, (received yesterday,) requesting certain information for a Committee of the House, concerning the Western part of the Province above Lake Huron, &c. I have the honor to submit to the Committee the following answers to the queries, viz:—

1st. The passing of an Act by the Parliament for the administration of Justice, there being at present no security for either life or property.—An immediate settlement of all the Land Claims at Sault Ste. Marie, offering for sale at moderate prices all the unoccupied lands in the neighbourhood of the Sault.—A Survey of all the Lands bordering on Lakes Huron and Superior, and offering the same for sale; Mineral locations not to exceed in size 200 acres; all Mineral and other lands to be obtained at the Agency, at the Sault.—A Ship Canal to connect Lakes Huron and Superior.

2nd. The Lands which are susceptible of settlement are the Island St. Joseph's and a considerable Tract in the neighbourhood of the Sault; there are also small Tracts along the shores of Lake Superior, which might be made available for cultivation, but the climate and seasons are very uncertain; the interior towards the height of land is rocky and barren.

3rd. The Fisheries on Lake Superior are most extensive and of considerable importance; but at present these, as well as those in Lake Huron, are fished principally by the Americans, thus protection by the Government is much required to prevent their destruction.—There are, beyond a doubt, extensive and rich deposits of Copper and Silver on the shores of Lake Superior; but the present system of selling locations is a bar to the development of the country. I could have disposed of a number of locations last summer, had their size been reduced to 150 or 200 acres.—I would also respectfully suggest to the Committee (as a means of improving this part of the Province), settling at the Sault and Isle of St. Joseph's, 100 Pensioners with their families. The Lands are good, and a ready Market for all descriptions of Farm Produce. Their presence would be most beneficial in enforcing law and order, neither of which have ever been felt there.

I have the honor to be, Sir,
Your most obedient servant,

(Signed,) JOS. WILSON.

P. S.—I would also respectfully draw the attention of the Committee to the great destruction of Timber in this neighbourhood; large and valuable quantities are carried to the United States' side every winter. I would respectfully urge that some steps be immediately taken to save the timber on the Crown Lands from being totally ruined.

(Signed,) J. W.

ST. JOSEPH, 15*th November*, 1852.

SIR,—I hasten to reply to your letter of the 22nd September, (only received last mail) to answer the questions proposed by the Committee of the Legislative Council according to the best of my knowledge.

The only situation on the northern coast of Lake Superior where there is any cultivable land, are Michipicoton, Bic, and Fort William, each having a narrow strip on the banks of the rivers, perhaps the whole may amount to 1500 acres, already in possession of the Hudson's Bay Company. The same may be said of the northern shore of Lake Huron, merely narrow strips on the rivers, a short distance up the country, fit for fishermen's gardens. The Manitoulin and St. Joseph Islands, on the contrary, contain a good half of fair cultivable land. Fall and spring wheat does well, barley, oats, turnips, timothy, potatoes and clover, perhaps, better than any other part of Canada. I have for several years grown from seeds of my own production in the open air, melons, cucumbers, capsicums and tomatoes, there has not been a case of ague or potato disease here. It is impossible for me to calculate the immense quantity of salmon trout, white fish, &c., &c., the waters of Lake Superior and

Huron teem with them, many thousand barrels may be put up—to sum up, there is no place for settlement of agricultural emigrants excepting in the above named Islands. I cannot speak too highly of the Fisheries.

I am not capable of appreciating the value of mines, they must be a source of profit to the Country, whatever they may be to the shareholders.

I have the honor to be, Sir,
Your obedient servant,

W. K. RAINS.

THE PARK FARM, NEAR SANDWICH, C. W.
24th January, 1853.

SIR,—With reference to your letter of the 8th November last, addressed to me as one of Mr. Fournier's Committee, I beg to answer thus:

The first point to be considered, is whether the region above Sault Ste. Marie is susceptible of yielding a prosperous commerce, whether its natural advantages are such as as to render it possible by public Works, or legislative enactments, to foster or produce a paying trade? My impressions tend to a favourable reply, but I should conceive it imperative, that any considerations relative to the establishment of such a trade on Lake Superior, should have a reference to the vast country now thrown open for settlement on the South Shore, where success for mining operations are leading to a large influx of population, partly agricultural, and where an immense tract of excellent land in rear of the high and barren range which bears the native silver and copper, affords the means of growing many of the requisites for its increasing thousands.

Two Steamers, three Propellers, and several sailing vessels, barely now suffice for the regular transport of stores and copper, and though perhaps no very accurate ratio can be pointed out, there must be a constant increase—wild and visionary speculation have given way to steady enterprise; Copper Companies which *work*, have taken place of Copper Companies on *paper*, where business lay in shares; and it is not likely that an insane rush, or an equally ruinous depression will again take place.

Now, it is almost impossible to conceive that the boundless mineral wealth which continued search seems only to establish on a firmer basis, should be confined to the South Shore of Lake Superior, and its present thriving trade may form no incorrect ground work for a calculation of that which may soon, from the same causes, flow from our own territory. (*see Appendix, page* 45.) Professor Agassiz (no mean authority in such matters) considered the whole region incalculably rich, but requiring much attentive and scientific exploration. Three years he asserted (with the means he had at command) would barely suffice for a full and satisfactory examination, and it would, therefore, seem requisite to adopt some system for placing, beyond a doubt, the present speculative value of these lands in order to secure a certain investment of Capital, and consequent settlement.—Money is abundant in England in the hands of the Cornish firms who are only awaiting something positive, to embark largely in the matter; and I have learned from the best authority that one of their most eminent practical men will, next season, explore those shores most carefully.

But at the same time that the bosom of the earth offers its varied treasures to the adventurous miners, it is to be regretted that its surface throughout the whole extent of the coast, affords no resting place for an agricultural population. High and barren rocks, scantily clothed with stunted firs or poplar, or covered with grey ichens, often the food of the miserable aborigines, rise from the very verge of the dark green waters and run far inland. It is only here and there, along the borders

of some brook or larger stream, that a few narrow strips of alluvial flats furnish the inhabitants with soil sufficient for growing a few potatoes and Indian corn; the same is the case on Lake Huron, and though the rocks there be neither so high nor so abrupt, all that is consumed in an extent of full seven hundred miles of coast, must be brought from a distance.

Nature has not, however, left the future settler in these sterile regions without an equivalent to offer in exchange for the many articles he may require. The clear waters of the lake are his harvest field, and from these he must gather his yearly crop. White fish, trout and pickerel, of the finest description, abound along the shore, and though now forming *no* source of profit or revenue might readily be made to do so. The Fisheries on Lake Huron are equally extensive and not less productive; and it would only require monied capital and experience to establish a new branch of trade in Canada, which has long been lucrative in Michigan. Many hundred thousand barrels of fish could readily be put up every season for exportation. The trout of the cold clear water is little inferior to the salmon, and I do not see any reason why we should not carry to other shores the produce of our lakes, and divide a trade which the sister colonies have hitherto monopolized.

The Lake with its fish, the land with its mines, could well maintain a hardy population, who would form a home market for much of our surplus produce, whilst our shipping would find constant and profitable employment on their new and more northern career.

1st. Then an examination of the shores, such as would place government in possession of accurate information respecting the mineral capabilities of the North Shore, would tend to a ready sale, and what is of more importance, to a rapid settlement of the lands in question, especially should we form any opinion from the *facts* in Michigan, immediately opposite.

2nd. To render available the very extensive Fisheries of the two lakes, by letting at a low rate, offering encouragements, commensurate with the risks to those who are willing to embark in a speculation hazardous, (and I really think hazardous only because it is new,) would, in no inconsiderable manner, promote the prosperity of that part of Canada, and open a commercial intercourse with its eastern portions very profitable to all concerned.

By cutting a canal round Sault Ste. Marie *at once*, we should secure the carrying trade of the Americans through our own canals to the Atlantic; offer to those who might be inclined to embark on either of the above named pursuits, increased facilities, and consequently increased incentives; and probably accomplish the object of the present inquiries. This canal, I am fully persuaded, cannot be considered of too much importance; and it is only the conflicting interests of the few, (so far fortunate for us) which have prevented the accomplishment of a work of so much consequence to the many. Every ton of goods or copper has to be transshipped and conveyed over a rude railroad, about a mile in length, at a very considerable expense to the public and profit to the owners, who strenuously oppose the contemplated improvement! Passengers are frequently detained at the Sault many days by the non-arrival of vessels, and the innkeepers look with jealousy on a canal which would carry the rich harvest past their doors. Landholders fear the depreciation in value of their property should the Sault cease to be (as it then must) the depôt for transhipments; and all these causes have hitherto arrested the progress of a work, for which the Federal Government has granted 750,000 acres of land. It cannot, however, be supposed that the general good will long be permitted to give way to such selfish and local considerations, and if we do not seize the moment, we shall, in my opinion, lose both the honor and profit, for they will assuredly go together in an undertaking which completes our line of water communication from Lake Superior to the sea! No inconsiderable portion of the trade of the fertile and fast settling Minisota, will I presume, soon flow through this its natural channel;

and with our own prospective Fisheries and mines, we surely need not hesitate to expend a sum for which even now we should get a paying return. My opinion on this point is derived from accurate and disinterested persons, and from my own deep reflections.

I am not aware that I can supply any more information relative to the regions west of Sault St. Marie; but this I am fully aware of, that the interior is as bad as the coast, and as unfit for settlement in an agricultural point of view. The Hudson's Bay Company might, however, afford a thorough description of the "Red River Settlement," and difficulties to be encountered between "Pigeon River" and the Pacific.

One word more about the Fisheries. The very moment the ice gives way at the mouth of very many of the small streams which empty into Lake Huron, the pickerel begin to spawn and are easily caught in nets or speared; the numbers are almost beyond belief, and the fish itself much esteemed in the American market, indeed more so than the trout, the price varying little from it. After this, the deep water affords a constant supply of white-fish and salmon-trout (caught in gill nets) during the summer, until, in the autumn, the regular season commences, (about the middle of September,) and these fine fish are literally caught in shoals by the few French and Half-breeds who devote their time to that occupation. There are many places now well known as valuable Fisheries; but I have no doubt that the whole coast and outside islands are equally well supplied. The places of most general resort are now Isle-au-sable, Shéawénega, Isles-aux-têtes, Meganetawang, Pointe Grondine, Shibaônàning, Le Grand Chenail, and le Petit Chenail, formed by Cockburn Island, Duck Island, south of the Manitoulin, the Grande Batture (as the Canadians call it,) near Mississagua, and Point Thessalon.

The French Canadians residing on the American side at Sault St. Marie, the Half-breeds in the employment of American merchants, with their barrels and salt, are in the habit of resorting to many of those places, and on one occasion, within the knowledge of my informants, a schooner with a complement of fishermen spent the summer at the Duck Islands. These encroachments very naturally exasperate the Indians and our own people; and it would be desirable, that some measure should be taken to protect them. The same intrusions by people from the United States yearly occur on our coast; at Point Pelée in my own County, (Essex,) where citizens from the United States occupy our fishing grounds with a dozen seines, and bring over their salt and barrels *free of duty*, and return "scot free" with fish taken in *our* waters! But such intrusions ought to be put an end to, by the Government leasing or granting licenses of occupations during pleasure to our own people.

There is one other matter to which I beg leave to refer, and which the *public* consider, and I too consider, of the utmost importance to the well-being and good government of the Country, and upon which I desire to have the honor to report to the Committee. It is hardly conceivable that amidst all the population, and business, and prospective advantages which I have endeavoured to portray, there is not in these Northern regions (in British Territory too) *a single Court of Law* for the prosecution of criminals, or for the redress of grievances, or for the recovery of debts! Within my own knowledge, only a few years ago, a *murderer* (from a foreign land,) of one of our own subjects, on our own shores, on Lake Superior, was allowed to escape for want of a Magistrate to issue a warrant, and a Constable to apprehend him! In short, there is no practical law in this vast and interesting Country, to which my Report applies; and it is a fact, that for the recovery even of small debts, suitors are compelled to resort to the Town of Barrie (300 miles off) to get justice! and this too in one of the finest Colonies of England, and within three weeks reach of England. Surely these circumstances prove, (and they are capable of proof,) that a *Judiciary* ought to be established in that remote, though rich and splendid region without delay.

The *Sault Ste. Marie* being a place of general resort, and which *must* be a grand focus of attraction, if not of domicile for all the Miners and other settlers on Lakes Huron and Superior for many years to come, it is apparent, and it admits of no doubt that, in common justice to the Queen's subjects and the people there, *a Court of Record* (be it Queen's Bench, Common Pleas, or a *Recorder's Court*, a County Court, or a Division Court, or all combined), presided over by a Barrister of admitted competent knowledge in the practice and profession of law and equity, ought to be erected there without further delay; and *many, many* complaints have been made to me by our own people as well as by the citizens of the United States, that no legally constituted Tribunal exists there, for the protection of persons or property, for the punishment of crime, for the redress of grievances, and the recovery of debts; the nearest Court being some hundreds of miles off, which distance amounts to *nothing more or less than an absolute denial of justice on British soil to British subjects, as well as to friendly foreigners!* In conclusion, I beg leave to inform the Committee, that for the substance of the foregoing Report I am mainly indebted to J. W. Keating, Esq., of Chatham, in Kent, who is an English gentleman of standing there and of an accomplished education; one who *speaks the Indian languages fluently*, as well as French and German, and who having been only a few years past connected with the Indian Department in Upper Canada, is well known to the Provincial Government, and is also very popular with and much looked up to by the Tribes of Indians from Lake Superior to Amherstburg; and I am happy to inform the Committee, that the opinions and intelligence with which Mr. Keating has so obligingly favored me on these important and interesting matters, have been satisfactorily confirmed by many Americans and others to whom I submitted them, and who expressed themselves too happy to afford me all possible information on these subjects.

You will be good enough to lay this paper before the Committee.

I remain, Sir,
Yours, very truly,

JOHN PRINCE, M. P. P.

To Mr. Leprohon,
Clerk of Committee,
Assy. House, Quebec.

APPENDIX.

I beg to subjoin a few of the statistics of the South Shore of Lake Superior which I have obtained from most reliable sources in Michigan.

The exact amount of "*up and down*" freight cannot be obtained at Detroit because large quantities of goods are also shipped from Cleveland and Buffalo, but an estimate can be formed from the fact that in 1851, the amount of imports for the South Shore of Lake Superior, was $100,000, whilst that of exports reached $700,000; 2500 tons of copper alone were sent away, independently of any iron; and one mine alone produced during that year, $100,000, worth of copper. The ratio of increase in the trade at present cannot be considered as less than 6 per centum per annum, and the shipping on Lake Superior will be increased early in the spring by one large steamer of Messrs. Ward.

There are or were in operation on the first of January, 1852, when the last returns were made, 22 mining companies, employing capital to the amount of $426,894, and whose operations are reported at the Auditor General's Office. There are also 17 other companies who have hitherto made no report, but who are in active operation, the amount of revenue derived by the State (from taxation) from the reporting companies (22) was for the year 1851, $426,894!

JOHN PRINCE.

LEGISLATIVE ASSEMBLY,
COMMITTEE ROOM, No. 4, *9th March*, 1853.

SIR,—I have the honor to inform you that the Committee, to whom were referred the resolutions relative to the Magdalen Islands and Lake Superior, will consider themselves obliged to you if you will transmit to them a copy of the plan of Lake Superior and of the Islands therein, lying between Lake George and the supposed limits of the Province to the north and west, shewing the different grants of land, whether for settlement, mining purposes, or belonging to the Indians, or to the Crown, in that direction; also a copy of the map of the Magdalen Islands, together with a copy of the reports, or such extracts therefrom as you may consider expedient, of Joseph Bouchette and C. F. Fournier, Esquires, Surveyors, on the subject of these Islands. They are desirous of receiving the above documents in as short a time as possible, as they intend making their report immediately on the receipt thereof.

I have the honor to be, Sir,
Your most obedient servant,

J. P. LEPROHON,
Clerk of Committee.

The Honorable John Rolph,
Commissioner of Crown Lands.
&c., &c., &c.

CROWN LANDS DEPARTMENT,
QUEBEC, 16*th March*, 1853.

Sir,—In compliance with the desire of the Committee conveyed in your letter received 9th instant, to whom were referred the resolutions relative to the Magdalen Islands and Lake Superior, I have the honor to transmit herewith for the Committee, copy of the map of the Magdalen Islands, extracts of Mr. Bouchette's Report, dated in April, 1849, description of the Geographical position and the natural and commercial resources of those Islands; also copy of the Report of C. F. Fournier, Esq., of his late survey of the Isle Royal, one of the Islands reserved for the support of the Protestant Church, under the Imperial Act 31, Geo. 3rd, Cap. 31.

I have the honor to be, Sir,
Your obedient servant,

JOHN ROLPH,
Com. of Crown Lands.

J. P. Leprohon, Esq.,
Clerk of Committee, &c., &c.

CROWN LANDS DEPARTMENT,
QUEBEC, 12*th March*, 1853.

SIR,—In compliance with the request conveyed in your letter, requesting "a "plan of Lake Superior and the Islands therein, lying between Lake George and the "supposed limits of the Province to the north and west, shewing the different Grants "of Land, whether for settlement, mining purposes, or belonging to the Indians, or "to the Crown, in that direction," for the use of a Special Committee of the Hon. the Legislative Assembly, a copy of Captain Bayfield's Chart of the Lake is transmitted herewith, on which the mining locations, which have been surveyed, are marked by a yellow border. No lands have been granted for settlement on the

shores of Lake Superior. A sketch of the Lake, on a reduced scale, also accompanies this letter, shewing the supposed northern and western limits of the Province in that direction; for the position of which, however, this Department has no data on which reliance can be placed; the only Records of Surveys in that section of the Province being Captain Bayfield's chart referred to, and the plans and field notes of the mining locations. These Surveys being limited to the Coast, contain no information respecting the interior.

The whole of the Territory lying between the northern shores of Lakes Huron and Superior, and the height of land which separate the Territory, covered by the charter of the Honorable Hudson's Bay Company from Canada, and the Islands in these Lakes, within the boundaries of the British Possessions therein (containing about 80,000 square miles), with the exception of certain reservations, was surrendered to the Crown by the Indians in the year 1850. See Appendix U, to the Journals of the Legislative Assembly for 1851 for the treaty, and a statement of the mining locations.

It appears from the Report of the Provincial Geologist, W. E. Logan, Esq., in Appendix C, to the Journals of the Legislative Assembly for 1847, that the Canadian shores of Lake Superior are generally bold and rocky, affording but little land fit for agriculture, the timber also being in general inferior both in kind and quality. The only land fit for cultivation is on the Island of Michipicoten, and in some of the valleys, and at the mouths of some of the principal rivers.

The fisheries and metalliferous minerals are, if not the only, the chief sources of wealth which this region affords.

I have the honor to be, Sir,
Your most obedient servant,

(Signed,) JOHN ROLPH,
Commissioner of Crown Lands.

J. P. Leprohon, Esq.
Clerk of Committees,
Legislative Assembly.

Extracts of the Report respecting the Magdalen Islands, prepared and compiled by Jos. Bouchette, Esq.

CROWN LANDS DEPARTMENT,
QUEBEC, 24*th March*, 1851.

Contemporaneous with the earliest discoveries of the River and Gulph of St. Lawrence, and of the Territories adjacent thereto, may be dated the discovery by Jacques Cartier, in 1534 and 1535, and by other French Navigators, in the early part of the 16th century, of that remarkable group of Islands in the Gulf of St. Lawrence, collectively known as the Magdalen Islands.

These Islands, with the countries bordering on the Gulf of St. Lawrence, were subsequently involved in the various conflicts between England and France, and were the subject at different periods of treaties and conventions, transferring them from under one of those sovereignties to the other, until finally, by the treaty of Peace, they were together with all the countries known as La Nouvelle France or Canada, Nova Scotia or Arcadia, the Island of St. John, now Prince Edward Island, ceded by France to England, and in virtue of the Royal Proclamation of 7th October, 1763, annexed to the Government of Newfoundland, to which they remained attached, until by the Imperial Act 14 Geo., 3, Chap., 83, commonly called the "Quebec Act," they were detached from that Province and annexed to the Province of Quebec, thereby erected.

By the Imperial Act 31 Geo. 3, cap., 3, repealing certain parts of 14th of the same reign, and which divided the Province of Quebec into the Provinces of Lower and Upper Canada, the Magdalen Islands were attached to the County of Gaspé, agreeably to the Proclamation of Sir Alured Clark, dated, 18th November, 1791, and on the division of the said County of Gaspé into the Counties of Gaspé and Bonaventure, in virtue of the Provincial Act 9, Geo. 4, cap. 73, the said Islands were declared to form part of the first named County, to which they have remained attached under the Union Act already recited.

To the Nations of Europe who first discovered the northern Continent of America, or who became acquainted with the valuable fisheries on the Banks of Newfoundland, or in the Gulf of St. Lawrence, the fisheries were an object of special attention in an economical and commercial point of view, and have, at different times, when England, France or Spain, and more recently the United States have been involved in negociations, formed a subject of paramount interest.

Agreeably to the 13th Article of the Treaty of Utrecht, in 1713, (by which Treaty, Newfoundland, with the exception of the Island of Cape Breton and the adjacent Islands in the Gulf of St. Lawrence, were left in the exclusive possession of Great Britain,) France retained the right of fishery on the Banks, and of using for purposes of curing fish, the Northern and Eastern Shores of Newfoundland, which right the Treaty of 1763, of (5th Article,) confirmed to France, and extended the right of fishing to the Gulf of St. Lawrence, at the distance of three leagues from all coasts belonging to Great Britain, whether continental or insular.

In the negociations with Great Britain, under the Treaty of 1783, the United States laid claim to a share of the Fisheries on the Banks of Newfoundland and in the Gulf of St. Lawrence,* and accordingly, in the 3rd Article of the Treaty, it was agreed as follows: "That the people of the United States shall continue to enjoy "unmolested, the right to take fish of every kind on the Great Bank, and all "other Banks of Newfoundland, and in the Gulf of St. Lawrence, and all other "places in the sea, where the inhabitants of both Countries used, at any time "before, to fish, and also that the inhabitants of the United States shall have "liberty to take fish, of any kind, on such part of the Coast of Newfoundland as "British fishermen shall use, (but not to dry or cure the fish on that Island,) and "also, on the bays and creeks of all other of His Britannic Majesty's Dominions in "America, and that the American fishermen shall have liberty to dry and cure "fish in any of the unsettled bays, harbours and creeks of Nova Scotia, Magdalen "Islands and Labrador, so long as the same shall remain unsettled, but so soon "as the same, or either of them, shall be settled, it shall not be lawful for the said "fishermen to dry or cure fish at such settlement, without a previous agreement "for that purpose with the inhabitants, proprietors, or possessors of that ground."

The Americans have, accordingly, enjoyed the privileges granted by the Treaty of 1783, and subsequently confirmed and extended to them in the Convention of the 20th October, 1818, (with the limitatons and restrictions, nevertheless, contained in the above recited 3rd Article of the Treaty of 1783,) under the following terms: "Whereas differences have arisen respecting the liberty claimed by the United "States, for the inhabitants thereof, to take, dry and cure fish on certain coasts, "bays, harbours and creeks of His Britannic Majesty's Dominions in America, it is "agreed between the high Contracting Parties, that the inhabitants of the United "States, shall have for ever, in connection with the subjects of His Britannic Ma-"jesty, the liberty to take fish of every kind on that part of the Southern Coasts of "Newfoundland, which extends from Cap Ray to Rameau Islands, on the Western "and Northern Coasts of Newfoundland, from the said Cap Ray to the Quiperon "Islands, on the shores of the Magdalen Islands, from Mount Joly, of the Southern "Coast of Labrador, to and through the Straits of Belle Isle, and thence northwardly

*Colonel Bouchette's British Dominions in North America, Vol. 2.

" indefinitively, along the coast, without prejudice, however, to any of the exclusive " rights of the Hudson's Bay Company. And that the American fisherman shall " also have liberty, for ever, to dry and cure fish in any of the unsettled bays, har- " bours and creeks of the Southern part of Newfoundland hereabove described, and " of the Coast of Labrador; but so soon as the same, or any portion thereof, shall " be settled, it shall not be lawful for the said fishermen to dry or cure fish at such " portion so settled, without previous agreement for such purpose with the inhabi- " tants, proprietors or possessors of the ground. And the United States hereby " renounce, for ever, any liberty heretofore enjoyed or claimed by the inhabitants " thereof, to take, dry or cure fish, in or within the above mentioned limits; pro- " vided, however, that the American fishermen shall be admitted to enter such bays " or harbours, for the purpose of shelter, and of repairing damages therein, of pur- " chasing wood, and of obtaining water, and for no other purpose whatever. But " they shall be under such restrictions as may be necessary to prevent their taking, " drying or curing fish therein, or in any manner whatever abusing the privileges " hereby reserved to them."

The Americans did not, however, confine themselves to the rights above granted, as they supplied Newfoundland with stores requisite to carry on the Fisheries, and it was consequently deemed expedient to enact the 26 Geo. III., which confined the importation of bread stuffs and live cattle to British shipping, to the exclusion of American vessels.

The facilities, nay, the right of the latter of entering our harbours, and lying close in with our shores offered, however, too frequent opportunities for evading the statute, which led to the enactment of the Imperial Acts, 3 Geo. IV., cap. 44, and 6 Geo. IV., cap. 114, imposing certain duties upon provisions and certain goods imported into Newfoundland or the Islands in the Gulph of St. Lawrence, and requiring the exports to Foreign Countries to be made exclusively in British bottoms.

Notwithstanding these enactments, intended to retain in British hands the trade and commeace afforded by these colonial possessions of Great Britain, the laws appear still to be evaded,* whilst the injury committed on the inhabitants and the loss sustained by the Province is one of its staple principal sources of revenue, will render expedient the enactment of some more stringent Acts, before it shall derive all the advantages of which the trade arising from the Fisheries, under judicial management, is susceptible, especially if, combined with that branch of commerce, more attention be devoted to the pursuits of agriculture by the inhabitants of these Islands.

Shortly after the cession of Canada to Great Britain, under the treaty of 1763, the Honorable the late Major Samuel Holland, being appointed (1764) by His Majesty George III., Surveyor General of the Northern District of the British North American Provinces, received orders from the Lords Commissioners of Plantation, to execute a survey of the Magdalen Islands and the adjacent Islands, situate in the Gulph of St. Lawrence.

This service being assigned to Lieutenant Frederick Haldimand, by whom it was performed with great care and considerable talent, as will be apparent on a comparison of his map, (A) hereunto subjoined, with the more recent chart of Captain Bayfield, of the hydrographical department, an enlarged copy of which chart is likewise hereunto annexed.

Agreeably to this survey of the Magdalen Islands, Major Holland returned a description on the 2nd April, 1798, called for in Mr. Secretary Ryland's letter, dated, 13th December, 1797, in compliance with the directions received by the Governor of this Province, from His Majesty's Ministers, to make a grant to Captain Isaac Coffin, of the Magdalen Islands, as a reward for his naval services, to comprehend Entry, Deadman's, Shagg and Bryon Islands, and the Bird

* Gesner—On the Fisheries of Nova Scotia.

Rocks; the grant to contain, however, the usual reservation for the maintenance of a Protestant Clergy in Lower Canada, required under the Imperial Statute, 31 Geo. III., cap. 31. (4)

According to the above mentioned description the aggregate of all the above enumerated Islands would appear to amount to about 60,000 acres, proportionate to which, was appropriated to the maintenance of a Protestant Clergy, all that certain part of the Magdalen Islands, called "Isle Royale" or "Coffin's Island," in the manner represented on the official plan A, hereunto annexed, as being equal in quantity and quality to the seventh of the land to be granted agreeably to the provisions of the last mentioned Statute.

The area stated in the foregoing appropriation falls somewhat short, however, of the computation now made of the Magdalen Islands, based upon the survey of Mr. Desbarres in 1778, and the later surveys by Lieutenant Collins, dated in 1833, forming part of the series of Captain Bayfield's chart of the Gulf of St. Lawrence, but it is presumed that the area of the extensive and numerous sand bars, which constitute a peculiar feature of the principal Island of the Magdalens, in connecting its different elevated portions and forming together the *terrâ firmâ* of that Island, was not taken into estimation in computing the contents of that and the adjacent Islands, which may account for the apparent discrepancy between that report and the herein reported are of the Magdalen Islands, at 78,000 acres of land.

The Magdalen Island is the largest of the Magdalen group, and comprises under distinctive natural divisions, designated in the primitive as well as in the later nautical surveys of the Gulf of St. Lawrence as Islands, serving likewise to distinguish the different parts of the Island, namely, Amherst, Grindstone, Alright, Wolfe, Coffin or Isle Royale, and Grosse Isle, all more or less connected together, as in a chain, by long narrow sand bars, hereinafter more particularly described.

The length of the Island from the south-west to the north-east cape, is about 42 miles, by a breadth varying from half a mile to about four miles, its south-westernmost point on Amherst Island, being in Latitude 47° 13′ 10″ north, and Longitude 62° 3′ west of Greenwich, and the north-easternmost point on Coffin Island, in Latitude 47 37′ 45″ and in 62° 4′ 5″ Longitude, west from Greenwich.

It is relatively, situate with some of the principal head lands of the continental or insular countries around the Gulf of St. Lawrence, as follows: namely, the south-west cape on Amherst Island, about 52 miles, nearly due north from East Cape, Prince Edward Island, from St. George Cape, Nova Scotia; 100 miles from Pictou, one of the principal towns of Nova Scotia; 110 miles, and 133 miles 3° north of east from Point Escuminac light house, New Brunswick; Sandy Hook, at the entrance to Amherst Harbour, lies due west 77 miles from St. Paul's Island light house, 60 miles south-west and by south from Cape Lawrence, Island of Cape Breton, now part of Nova Scotia.

The Western Coast of Grindstone Island, Etang du Nord, lies about south 53° east, 133 miles from Mount Joliff, Percé, in the District of Gaspé, and 120 miles nearly due south from the East Point of Anticosti, and about 193 miles from Natashquan Harbour, the Hudson's Bay Company's post, on the north shore of the River St. Lawrence; and the Northeast Point aforesaid on Coffin Island, lies about 96 miles nearly due west, from Cape Ray, Newfoundland, the opposite and northern head land to Cape Lawrence, forming the entrance of the Gulph of St. Lawrence, and 170 miles from Mount Joli, on the North Coast of the Gulph of St. Lawrence.

The Magdalen Island, in the first instance mistaken for the main land, as observed from Bryon Island, Jacques Cartier describes in his account of his first voyage, as follows:—

"A quatre lieuës de l'ile Brion est la terre ferme vers ouest sur-ouest, laquelle "semble être comme une ile environnée d'ilettes de sable noir. Là il y a un beau "cap que nous appellames le cap Dauphin pour ce que là est le commencement "des bonnes terres."

" Le vingt septième de juin nous circulmes ces terres qui regardent vers " ouest-sur-ouest et paraissent de loin comme collines ou montagnes de sablon, " bien que ce soient terres basses et de peu de fond. Nous n'y pûmes aller et " moins y descendre, d'autant que le vent nous étoit contraire, et ce jour nous fimes " quinze lieues."

" Le lendemain allames le long des dites terres environ dix lieues jusqu'à un " cap de terre rouge qui est roide et coupé comme un Roc, dans lequel on voit un " entre-deux qui est vers le nord, et est un païs fort bas et y a aussi comme une " petite plaine entre la mer et un étang, et de ce cap de terre et étang, jusqu'à un " autre cap qui paraissoit, y a environ quatorze lieuës, et la terre se fait en façon d'un " demi cercle tout environnée de sablon comme une fosse sur laquelle l'on voit des " marais et étangs aussi loin que se peut étendre l'œil. Et avant que d'arriver au " cap l'on trouve deux petites iles assez près de terre. A cinq lieuës du second " cap il y a une ile vers sur ouest qui est très haute et pointue laquelle fût nommée " " *Alezay*." Le premier cap fut appelé "de *Saint Pierre*," parce que nous y arrivames " au jour et fête du dit saint." *

Champlain gives this Island and the adjacent Islands, six in number, including Brion Island, the name of " Ramees Brion," under which name they are identified in the Convention of 1818 with the United States.

Charlevoix represents these Islands in his charts, but does not appear to make any other mention of them, otherwise than in alluding to the concession of those Islands, together with the Islands of St. John, Miscou, &c., made by the King of France in the year 1719, to Monsieur Lécomte de St. Pierre.† This concession does not, however, appear enumerated amongst the official extracts of the concessions granted by the French Government.

In proceeding to describe severally the subordinate divisions of the Magdalen Island, characterised as Islands, upon ancient as well as later charts of the Gulph, from the insulated aspect which its elevated parts present above the Sand Bars that link them together; the order of the relative position of those divisions on Islands in the chain they form from southwest to northeast, will be followed, beginning accordingly with Amherst Island, the southernmost in the chain.

Amherst Island.

This Island, which is most probably the one to which Jacques Cartier, in sailing along the western coast of the Magdalen Island, gave the name of " Alezay," situate in mean latitude 47 ° , 14′ 30″ (Amherst harbour), and between 61 ° 50′ and 62 ° 4′, west longitude, is considered the most important of the group, from its larger dimensions, its natural advantages of a fine harbour, and its geographical position, and as containing more arable land than either of the other divisions or Islands comprehended in the group of the Magdalens. Its greatest length, lying nearly east and west, is about 11 miles, varying in breadth from less than half of a

* Four leagues W. S. W., from Isle Brion lies the mainland which seems like an Island surrounded by Islets of sand. There lies a noble cape to which we gave the name of Cape *Dauphin*, because there the good soil begins.

On the 27th June, we coasted along the land, facing W. S. W., and which, at a distance, looks like a chain of sand hills, although, really, it is low and flat. We could not go close in, still less land, particularly as the wind was contrary, and that day we made fifteen leagues.

Next day we coasted about ten leagues along this land, as far as a headland of red earth, abrupt and scarped like a rock, in which we perceived a ravine opening to the north, where the land is very flat; there stretches also a sort of little plain between the sea and a pool, and from this headland and pool to another headland in sight the distance is about fourteen leagues; the land lying in a half moon girt in with sand banks, like a dyke, on which the eye meets swamps and pools of water as far as it can reach. Before we reached the Cape we fell in with two little Islands, close to the shore. Five leagues S. W. from the second Cape is an Island which is high and peaked, this is named " Alezay," the second Cape was named "St. Peter's" because we arrived there on the festival of that Saint.

† Charlevoix.

mile to about four miles, containing, exclusive of the Basin, about 18,500 acres of land.

The general surface of the country is hilly, especially in the southwest part where the Coast presents some high and abrupt cliffs to the sea. In the eastern and northern parts, with the exception of the Demoiselles Hills, the land is generally low, intersected by marshes, bogs, small shallow lakes, quick sands and extensive sandy ridges, which form the principal characteristic feature of the physical structure of the Magdalen Islands.

The hills on the south-west part of the Island rise towards the interior to an elevation of about 500 feet, the principal summit being 550 feet above the sea: spruce, dwarf-pine occasionally intermixed with white birch and some poplar, constitutes the principal growth of timber in favorable situations.

Along the southern base are situate the settlements called "Anse à la cabane" and "Pointe du Moulin" consisting of some forty inhabitants scattered along the coast, a school-house, grist mill, and the fishing establishments of the fishermen, who, for the most part, combined with the pursuits of the fisheries cultivate patches of ground to a greater or less extent as the land proves favorable.

In the north easterly part of the Island, and overlooking Pleasant Bay, are the hills called "Demoiselles," their highest summit attaining about 280 feet above the sea, and forming conspicuous land marks for vessels entering the Bay or Amherst Harbour.

The face of these Hills, towards the Bay, is bold, rocky and acclivious, whilst on the south and south easterly declivities, towards Amherst Harbor and the Basin, the descent is more gradual, and although generally rocky, offers some rich pasture land for sheep and cattle. On their southern slope and scattered round the Harbor, stands the settlement called "Amherst;" from the name of the Harbor also called by the settlers "Havre Aubert," consisting of some 50 or 60 houses, a Catholic Chapel, Presbytery and school-house; the merchants, stores and fishing establishments, consisting of the rooms, flakes or stages as they are variously called, required for curing, drying and preparing the fish for market, lie along the beach or shore of the Harbor and along the narrow neck or sand bar, connecting a flat Island Rock called in the nautical survey under Major Holland, "Mount Gridley," from the name of the first settler at the time of the cession in 1763.

On a patch of alluvium at the eastern extremity of this Peninsular Rock are situated, the stores and establishments of Captain A. Painchaud and those of other traders.

Between Amherst Harbor and the settlement of Anse à la Cabane and Pointe du Moulin, at South Point already mentioned, there is a road of communication leading through the interior, and passing by the northerly margin of the Basin along which there are some tolerable settlements, the land being generally of an arable description.

The Basin which is of large dimensions, was at an early period of the pursuits of the fisheries in the Gulf, and even remembered by some of the oldest inhabitants to have been a fine harbor for vessels, at which time there was a good channel or entrance from the Gulf to the Basin, now since almost choked by quick-sands, and affording scarcely depth of water sufficient to admit boats whilst there are still two or three fathoms of water in the Basin. There are several fishing establishments and settlements scattered around the Basin which obtains that locality the name of the "Basin Settlement."

The settlements on this Island, which are estimated to contain in the aggregate about 150 families, or between 900 and 1000 souls, compose the mission of Havre Aubert, in charge of the Revd. Chs. Nectaire Boudreault, Missionary, appointed under the ecclesiastical jurisdiction of the Right Revd. Bishop of Prince

Edward Island, as appears stated in the communication on the subject from the Revd. Mr. Edmond Langevin, Secretary to His Grace the Archbishop of Quebec.

About 15,00 acres of land are under culture in the united settlements of Amherst Island, producing oats, barley, and some wheat, collectively estimated at 6000 bushels of grain, besides potatoes and other esculent plants, in ample sufficiency for the consumption of the inhabitants. The fishermen and Merchants of this Island own 14 crafts, averaging from 10 to 12 tons each, and employing about one hundred and forty or fifty persons.

Marshes, swamps, sandy alluviums, intersected with small shallow lakes or pools, constitute the general character of the low ground, in the easterly and north-westerly parts of the Island. Of the latter description especially, is composed the sandy ridge, leading to the Hook of Amherst Harbour, forming by its projections, averaging 6 feet high, an extremity of the harbour, and presenting likewise a chain of diminutive sand or trap hills, which serves as a good protection to the harbour.

A quantity of coarse grass, grows on these marshes, and along the beach (many of them susceptible of being converted into good natural meadows) which is cut by the inhabitants for their cattle.

The timber on these low tracts consist chiefly of white spruce or fir, cedar, some white birch and aspin. It is worthy of remark, that the spruce which grows on the Islands is of a superior and more enduring description, and is much used by the inhabitants in the construction of their houses, &c.; there is, however, no timber fit for merchantable purposes, or for the use of Her Majesty's Navy, growing on this or any of the Magdalen group of Islands; they also produce great quantities of berries, especially cran-berries, (which are articles of export) and a variety of flowers and shrubs, which grow to great perfection.

There are numerous fine fresh water springs in various parts of the Island, which never freeze in the coldest winter; there is also a mineral spring near Point à la Cabane, which may upon analysis be found valuable,

The geological features of this Island as well as of all the Islands forming the group of the Magdalen Islands, as examined by Lieutenant Baddely, in 1833, appears to be similar,* and from the nature of the rock formation evidently indicate the prevalence in the soil of ingredient favourable for purposes of cultivation.

This able and scientific geologist, favorably known from the important explorations of the Saguenay Country and in other parts of the Province, considers these Islands to be of igneous origin.

In the lower sections along the shores, the formation is new red sand stone, clays, gypsum, covered more or less with a deep sandy alluvium, whilst the rock formation of the hills in the interior is secondary trap. Ochres of various colors, the red chiefly, and plaster of Paris or gypsum are found in abundance about the base of the hills, and compose several miles of the cliffs on the sea board of the Magdalen Islands.

As before mentioned Amherst Island is connected with Grindstone Island by sand bars of a similar structure to that of Sandy Hook, varying in breadth from a few chains to half a mile, enclosing the Lagoon called "Basque Harbour;" the sand bar on the easterly side, is intersected by two or three channels which formd, it is said in former years, as many good entrances into the harbour from Pleasant Bay, now all but one of them is closed at ebb tide, capable of admitting boats or very small crafts. The sand bar on the westerly side forming the westerly coast of the Magdalen Island, is sufficiently continous at low water to permit a land communication between the two Islands.

* Lieutenant Baddely's Map—Historical Society of Quebec.

Grindstone Island.

This Island, the next in the chain of the Magdalen divisions, already enumerated, which may be easily indentified from the red cast of the rock formation, to be "Le Cap de Terre Rouge," to which Jacques Cartier gave the name of "St. Pierre," which the settlement on the Island still retains, lies in 47 ° 22, mean latitude, and longitude (Etang du Nord) 62 ° West from Greenwich.

Its figure is irregular, approaching to the oval, whose longest axis lying from south-west to north-east is about seven and a-half miles, and its lesser four and a-half miles, containing about 17,360 acres of land.

The surface of the Island is uneven and broken, the hills rising from the surrounding coasts towards its centre into separate summits, the highest of them attaining the elevation of 550 feet above the level of the sea, occasionally exposing the bare surface of the rock and sandstone with a thin covering of vegetation, consisting of stunted sprtice and white birch. The land at the base of those hills, especially on the south-west and and north-easterly coasts is much of the same character as that of the clay and alluvium, part of Amherst Island. The coast is here indented by small bays and coves, accessible for boats from the Gulf on the south-west side, and from Basque harbour on the south, and from House or Haywood Lagoon on the North side; the shores and beaches being well adapted fot the purposes of the fisheries, whilst towards the north-west and east the coast present bold mural cliffs and high capes, such as the north-west cape, l'Hopital cape and cap le Trom, on the West side, and Cape Grindstone or Cap au Meule and Red Cape on the East, rendering the approaches to the Island in stormy and foggy weather very hazardous and perilous, as the many wrecks that have occurred on the Island too unfortunately manifest.

There are some good settlements and fishing establishments located in those parts of the Island first mentioned. The principal settlement lies around a small lake or indentation of the West coast of the Islands, which probably obtained it the name of "Etang du Nord," given to it by the French. It is small, but offers a safe shelter for boats in 3 and 4 feet water at low tide, its entrance between the sand bars is narrow and intricate. Seal Rock lying to the South-west of the entrance about half a mile, offers good shelter to small crafts under cover of the Island during strong westerly gales: this Island rock is also called "Gull Island" from the numbers of those birds which flock to it.

The Settlement of St. Pierre de l'Etang du Nord consists of some 70 houses, a Chapel, Presbytery, school-house and the rooms, stores, flakes, &c., of the fishing establishment belonging to A. Painchaud, Esquire, and others. The inhabitants are estimated at between 550 and 600 souls, and have about 800 acres of land under culture and improvement, last year's produce approximating to about 4000 bushels of grain, consisting two-thirds of oats and the remaing one-third of wheat and barley, besides potatoes and other vegetables in considerable abundance, the potatoe crops appear, however, to have failed last year, at least of half the usual average. In addition to the cultivated land, a quantity of hay is obtained from the meadows, besides wild grass from the marshes in abundance, many of these being susceptible by proper drainage of being converted into rich meadows and pasture lands.

The fishermen of this Settlement own about 50 boats and two crafts, which employ between 200 and 300 persons in the pursuit of the Fisheries.

The Settlement of St. Pierre de l'Etang du Nord, with the Settlement on the northerly part of Grindstone Island, attached to the Settlements of Havre aux Maisons, from part of the Mission of Ste. Magdalen du Havre aux Maisons on Alright Island, in charge of the Rev. Mr Cajetan Miville Déchesne.

The northern Settlement of Grindstone Island fronting upon House or Haywood Harbour, from Cap au Meule to the north-east point in the inner harbour, forming

part of the Settlement called "Havre aux Maisons," and consists of fishermen's habitations scattered along the slope or base of the hills, and their fishing establishments, rooms, stages, &c., along the beaches. The land in this part of the Island in many respects is favorable for cultivation, consisting of argillaceous loam, clay, gypsum and alluvial deposits of more or less fertility, which has induced many of the fishermen to combine some farming with their pursuit of the Fisheries, whilst the abundance of grass and course hay obtained from the marshes and meadows, supply ample means for rearing cattle, horses, &c. It may be observed that the geological features of Grindstone Island are similar to those of Amherst Island.

To the north-east of Grindstone Island, on the opposite side of House Harbour, is Alright Island, lying between the parallels of 47 ° 23, 45, and 47 ° 33, 45, north latitude, and between longitude 61 ° 36, (entrance of Grand Harbour), and 61 ° 53, (entrance of House Harbour), west from Greenwich.

It is of a triangular figure, its breadth at its south-west base being about four miles, and then irregularly tapering towards its north-eastern extremity, where it terminates by a sand Bar, and contains about 12,360 acres.

The Eastern Coast of the Island for some miles north of Cape Alright, presents abrupt and dangerous cliffs of some 400 feet in height. The hills, which attain an elevation of 480 feet above the sea, are frequently rocky and barren, clothed with dwarf pine and spruce. The land along the south and south-west base or slope of the hills and along the entrance of the harbour, is generally susceptible of cultivation; some of the inhabitants carry on some small farming joined to their business of the fisheries.

The Settlement of Havre aux Maisons, favourably situate at the south-west extremity of Alright Island, on the north side of the harbour, and extending round the southerly shore of the Island, within House or Haywood Harbour contains, together with that part of the Settlement on Grindstone Island, about 100 houses, a Chapel dedicated to St. Magdalen, in charge of the Rev. Mr. Miville Déchêsne, Missionary, already mentioned, a Presbytery and two School-houses. The Merchants' establishments, two in number, consisting of their store rooms, &c., lie along the beach, and are easily accessible for boats and small craft; vessels can lie pretty near shore and in good anchorage.

The two Settlements contain together 800 to 900 inhabitants, and own 25 crafts and 5 boats, which give employment to about 250 persons.

Alright Island, although one of the enumerated divisions of the Magdalen Island, should more properly be considered a distinct Island, being separated at its extremities from the Magdalen Island, by the channels of House and Grand Entry Harbors, and on the north-west from Wolf Island by Haywood or Grand Entry Lagoon. Its geographical features are much the same as those of Amherst Island.

Wolfe Island.

This Island connects Grindstone and Grosse Isle Islands, and forms a large portion of the north-westerly coast of the Magdalen Island, namely, from Hospital Cape to North Cape, a distance of about 22 miles, and contains about 9,120 acres.

Nearly equi-distant between these extreme points lies Wolfe Cape, called "Wolfe Island," on Bayfield's Chart, in latitude 47 ° 32′ 10″, north, a bold and abrupt rock or bluff, rising to the height of about 200 feet above the sea, and serving as a conspicuous landmark to the fishermen in pursuing the fisheries in the Gulf or in the approaches to the Island.

The sand Bars, or alluvial ridges, which thus connect Grindstone and Grosse Isle, bear the same physical features as those of Sandy Hook, being intersected by marshes, pools, with occasional sand or trap hills, presenting towards the Gulf side

almost straight shores, averaging six feet high above the sea, without any indents capable of affording the least shelter, whilst on the side of the Lagoon the shores are deeply indented, and reduce the breadth of the sand bars in some places to less than a quarter of a mile, generally sloping continuously into deep marshes, producing wild grass in abundance, which is often cut by the inhabitants of the Havrè aux Maison for their cattle: on these sand ridges grow spruce, cedar, fir and poplar, and a variety of berries, especially cranberries.

Grosse Isle.

Grosse Isle, also called "North Cape" in the mariner's chart, is the northernmost of the natural divisions of the Magdalen Islands herein enumerated, lying in latitude 47° 38′ north, and mean longitude 61° 34′ west, and containing about three thousand one hundred and sixty acres. The North Cape, towards the sea, presents abrupt cliffs rising to the height of two hundred and fifty feet.

The hills on the southerly side of Grosse Isle, fronting on Grand Entry Harbour, rises to an elevation of three hundred feet, and likewise form prominent land marks, which are seen at a considerable distance at sea. It is presumed that the North Cape was the land first descried by Jacques Cartier from Bryon Island, which he mistook for the mainland, and gave it the name of "Cape Dauphin."

There are some eight or ten English or Irish families settled on this Island on the Gulf side, who carry on some farming combined with the fisheries.

Coffin Island, or Isle Royale.

To the eastward, and connected with Grosse Isle by sand bars, lies Coffin Island, the north-easternmost of the Magdalen Islands, and extending south-westerly something in the shape of the letter S, to the entrance of Grand Entry Harbor, its greatest length being about eleven miles, and the breadth varying from half a mile to two miles, containing about nine thousand eight hundred acres.

This Island is represented on Bayfield's Chart as two Islands, the Northern, called East, and the southern, Coffin Island; the former contains some elevated hills, presenting under certain bearings, perpendicular cliffs forming the headland, called North-east Cape, which attains the height of two hundred and fifty feet above the sea.

At their base lie extensive alluvial tracts, intersected by marshes, bogs, plains and numerous shallow lakes, the larger of which it is said, once admitted vessels by channels from the Gulf, which have since closed up, by the constant deposit of alluvial matter washed down by the rains from the hills, combined with the sand thrown up by the waves.

The southern part of the Island called Coffin Island, beginning at the Bluff, called Old Harvey Head, and extending to the south-easternmost point of the Island, at the entrance to Grand Entry Harbor, is high and barren, presenting steep, rocky, and dangerous shores. The hills rise steeply to an elevation of three hundred feet close in along shore; at their base lies a large pond upwards of a mile long and half a-mile broad, capable of affording shelter to fishing boats.

The geological structure of this Island being reported similar to that of the other divsions of the Magdalen Islands, and therefore partaking of the favorable indications already mentioned of the soil in many parts for purposes of cultivation, the circumstance would suggest the propriety of a careful and scientific exploration and examination of itssurface, and of its mineral resources. As a public reservation, it could be rendered available for purposes of settlement, or in other respects improving the facilities connected with the pursuit of the fisheries in the Gulf of St. Lawrence.

Of the Islands adjacent to and detached from the Magdalen Island, yet comprehended in the group under that name, may first be mentioned the Island known as Entry Island, lying to the east of Amherst Island, its north-westernmost point or spit bearing north-east three miles from Sandy Hook, and in a direct line with the highest summit of the Demoiselles, already mentioned. It is somewhat the figure of a five sided irregular polygon, lying between the parallels of 47° 16′ 15″ and 47° 17′ 20″ north latitude, and its highest summit (rather west of the centre of the Island) in longitude 61 34′ 15″ west from Greenwich, and containing about three thousand two hundred acres of land.

The North-easterly and South-easterly parts of the coast of this Island are high and elevated capes, the cliffs rising perpendicularly in some places, to the height of four hundred feet above the sea, and may be seen at sea in clear weather at a very considerable distance. This part of the Island is surrounded by dangerous rocks, and the greatest precaution is required to approach from any quarter; close in on the North-easterly coast lies a high rock, called "Shaggy," from the innumerable quantity of birds that nestle on its surface.

On the westerly side of Entry Island, the shores are considerably less elevated, and in some parts accessible. The north split in favorable weather affording a good landing for boats.

From the summit of the hills the land slopes gradually toward the western part of the Island, which is well adapted for cultivation and pasture.

Of this some ten or twelve English and Irish families have availed themselves in occupying the arable land in the Island, which they cultivate to considerable advantage, besides rearing horses, cattle and sheep. About one-sixth part of the Island is under culture, producing wheat, oats and barley, averaging together about three thousand bushels, besides quantities of potatoes and other vegetables, which the inhabitants dispose of to great profit and advantage.

The inhabitants of Entry Island, estimated at between eighty and one hundred souls, chiefly follow agricultural pursuits, joined to some fisheries, and are properly the most easy and independent of that class of the inhabitants of the Magdalen Islands. New red sandstone and trap appear to constitute the geological structure of Entry Island, gypsum or plaster of Paris, and a variety of ochres of different colors are found in the Island which might be rendered profitable articles of export.

Shagg Island.

Nearly due north from Entry Island fourteen miles, latitude, 47° 19′ North, lies a small rocky island, called "Shagg Island," about one mile from the East shore of Alwright Island, which also is a great resort for seafowls or gulls; great quantities of eggs are annually obtained from the cliffs. There is about one fathom of water at low water between the Island and the shore, affording a good and safe shelter for small crafts or boats during easterly gales.

Deadman's Island.

On the west side of Amherst Island, bearing due west by north, eight miles from West Cape, Amherst Island, lies Deadman's Island, in latitude 40° 16′ 15″ in longitude 62 15′ West. It is a high and steep rock, its highest elevation attaining one hundred and twenty feet. It is only accessible towards the east and south.

This Island was formerly the great and favorite resort of the walrus or sea-cow, from which the fishermen would endeavour to drive them to the different strands in the Magdalen Islands, often successfully.

Bryon Island.

Situate about due North ten miles from the North-east Cape, on Coffin Island, lies Bryon Island, the name given to it by Jacques Cartier, in honor of Admiral Brion, under whose auspices he sailed on his first voyage of discovery to America.

" Ces isles," remarks Jacques Cartier, "sont de meilleure terre que nous eussions " oncques vues en sorte qu'un champ d'icelles vaut plus que toute la Terre-neuve. " Nous la trouvames pleine de grands arbres, de prairies, de campagnes pleines " de froment sauvage et de pois,..... L'on y voyait aussi en grande quantité du " raisin, des fraises, roses, incarnates, persil, &c." *

The Island is situated between the 47° 47′ 5″ (West Point) 47° 48′ parallel of North Latitude, and 61° 27′ 30″, and 61° 33′ 30″ West Longitude from Greenwich, its length being about six miles by a breadth varying from half to one and a quarter miles, and containing about three thousand five hundred acres of land.

It is, for the most part, surrounded by high capes, the hills gently undulate in the interior, and attain an elevation of about two hundred and fifty feet above the sea; the timber growth being chiefly spruce, pine, birch, poplar and aspin. The land on the northerly and westerly part of the Island is generally of a good quality, and presents a far more favorable aspect than the Magdalen Island generally does. There is also some good land on the south-easterly side, but to a limited extent, the remaining part of the Island, with few exceptions, consists of sandy plains or alluvium, producing quantities of whortel-berries and cranberries.

The rock formation, like that of the Magdalen Island, is chiefly trap, and new red sandstone, which form the principal deposit over laying clay, gypsum, and occasionally compose the cliffs along the coasts of the Island.

There are two small coves on the Island, one on the north and the other on the south, where fresh water is to be obtained from the springs, which are, besides, abundant on the Island. These coves can afford safe or temporary shelter (under favorable circumstances of the wind,) for boats and crafts; but in general, the approaches to the Island from the sea are dangerous, as the currents are regulated by the winds. Should any vessel wreck on this Island, and there are, unfortunately, many wrecks to record, it is scarcely possible any lives can be saved.

On the northern side of the Island lie the clearance and improvements of Mr. Munsy, who it is stated has a large tract under cultivation, which produces abundantly oats, wheat and other grain, besides potatoes, &c. The meadows and pastures enable him to rear numerous live stock.

This Island was also a great resort of the walrus or sea-cow, which visited it at certain seasons in vast numbers. Jacques Cartier observes in reference to this animal.

" A l'entour de cette isle (Bryon Islands) il y a plusieurs grandes Bêtes comme " grands bœufs, qui ont deux dents en la bouche comme d'un Elephant, et vivent " mêmes en la mer." †

These animals had abandoned Bryon Island and the Bird Rocks some years previous to Major Holland's survey of the Magdalen Islands, owing, it appears, to the reprehensible practice pursued by American Fishermen, of shooting at them with fire arms, and to which cause principally joined to the incessant pursuit of this animal by the resident fishermen of those Islands, and of the Islands of Miscou and Prince Edward, without any restrictive regulations in carrying on this productive branch of the Gulf Fisheries, may be attributed the subsequent total disappearance of the Morse or Walrus from the Gulf of St. Lawrence.

* The soil of this Island was much better than any we had yet seen, so much so, that, one of its fields, is worth more than the whole of Newfoundland; we found it covered with large trees, meadows and plains abounding in wild wheat and peas,..... Great quantities of grapes, strawberries, carnation-roses, paraley, &c., were also to be found there.

† About these Islands there are several large animals resembling great oxen; they are furnished with two tusks like an Elephant, and live as well in the sea as on land.

The Bird Rocks.

To the eastward of Bryon Island, bearing nearly east and by north, distant twelve miles, lie the Bird Rocks, the southernmost and largest of the two, called "Great Bird Rock," situate in 47° 50′ 30″ north latitude, and longditude 61° 11′ 15," and the northernmost in latitude 47° 51′ 5″ and longditude 61° 12′ west from Greenwich.

Those Islands were first discovered by Jacques Cartier, in his first voyage in 1534, and afterwards by Champlain in 1567, to which the former gave the name of "Margaux" observing

"Elles étoient au nombres de trois et plus remplies d'oiseaux que ne seroit un "prè d'herbe." *

Champlain called them "Isles aux Oiseaux" which they still retain, from the innumerable quantity of birds and sea fowls that flock to them; his excellent description of those Islands may appropriately be introduced here.

"Du Cap de Raye qui est par les 47° dégrés et demy de latitude, jusq'ues "au Cap de St. Laurent, qui est par les 46° dégrés 55 minutes, il y a dix-sept "à dix-huit lieues; cet espace est l'une des embouchures du dit Golphe St. Laurent; "de ce lieu aux Isles aux Oyseaux, il y a dix-sept à dix-huit lieues, qui sont un peu "plus de 47 dégrés et trois quarts; ce sont deux rochers dans le dit Golphe, où il "y a telle quantité d'oyseaux appellez tangeux, qui ne se peut dire de plus; les "vaisseaux passant par là quand il fait calme, avec leur batteau vont à ces Isles, et "tuent de ces oyseaux à coup de bâtons, en telle quantité qu'ils veulent; ils sont "gros comme des oyes, ils ont le bec fort dangereux, tous blancs hormis le bout "des ailes qui est noir,† ce sont de bons pêcheurs pour le poisson qu'ils prennent "et portent sur leurs ailes, pour manger au su de ces Isles, et au su et sud-ouest y "en a d'autres qui s'appellent "Ramées Brion," au nombre de six ou sept tant "petites que grandes, et sont une lieue ou deux des Isles aux Oiseaux."

"En aucunes de ces isles y a de bons ports, où l'on fait pèsche de poisson; "elles sont couvertes de bois comme pins, sapins et bouleaux, aucunes sont plates, "autres un peu eslevées comme est celle de Brion qui est la plus grande. La "chasse des oyseaux y est à commandement en la saison, comme est la pèsche du "poisson, des loup-marins et bestes à la grande dent qui vont sur les dites isles, "elles sont esloignées de douze ou quinze lieues, qui est le Cap St. Laurent, atte-"nant à l'Isle du Cap Breton." ‡

The southernmost or Great Bird, bearing South-east three quarters of a mile from the Little Bird, is surrounded by steep perpendicular cliffs one hundred and forty feet in height and almost inaccessible; its surface is nearly flat, covering about ten acres.

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* There were three in number, and were covered with more birds than a meadow with grass.

† There is a fine specimen of these birds in the valuable collection of Mr. McCulloch, Esquire, Montreal.

‡ Between Cape Ray which is in latitude 47° 30′ and Cape St. Lawrence which is in latitude 46° 45′, the distance is from seventeen to eighteen leagues. This place is one of the outlets of the Gulf of St. Lawrence; from this place to the Bird Islands which are in latitude 47° 45′, the distance is from seventeen to eighteen leagues; they consist of two rocks situated in the Gulf. There is an immense quantity of Birds called *Tangeux* on these Islands. Vessels sailing by them send their boats ashore in calm weather, and a great number of these birds are killed with sticks; they are as large as geese; their beak is very dangerous; they are perfectly white with the exception of the tip of the wings which is black; they are very expert in catching fish which they carry on their wings to the south of the Islands where they eat them. In the South and south-west there are other Islands which are called "Ramées Brion:" there are six or seven of them altogether, some of them are small, others of great extent; they lie at a distance of one or two leagues from the Bird Islands.

There are good harbors at all these Islands where there is good fishing. they are covered with wood, such as pine, fir and white birch, some of them are low; others, such as Brion Island which is the largest, are of some elevation. During the season the quantity of Birds is very great, and the fish, seahte and animals with tusks about these Islands are very numerous; they are at a distance of twelve fifty and leagues from Cape St. Lawrence, at one of the extremities of the Island of Cape Breton.

The North Bird is considerably smaller, and is likewise surrounded by steep cliffs, and about one hundred feet high; their flattened summits exhibit a resplendant whiteness produced by the quantities of ordure with which they are covered " from the immense flocks of birds, which in summer take possession of the apertures in the perpendicular cliffs where they form their nests and produce their young; when alarmed they hover above the rocks and over shadow their tops by their numbers.

" The abundance of their eggs afford to the inhabitants of the neighboring coasts, a material supply of food." (Bouchette's Dictionary.*)

Intermediate between these Islands is a very high ledge of rock with six or seven fathoms close in shore. This ledge is not of the three Islands enumerated by Jacques Cartier as composing the Bird Rocks.

The navigation of this part of the Gulf in the approaches to those Islands is rendered dangerous from the states of the current, which are regulated by the wind and weather; and until improvements for lighting up the Gulf, so as to secure its safe navigation, be effected, too much precaution cannot be paid to the sailing directions contained in Captain Bayfield's charts of the Gulf of St. Lawrence.

Taking a general view of the extent of coast presented by the Magdalen Island with that of the Gulf shores of New Brunswick, Nova Scotia, or Gaspé, the superior natural advantages the former possesses over the latter as regard the number and importance of its harbours, will appear striking, apart from any consideration of its superior advantage for maritime purposes, whether in respect to its position in the Gulf or to the navigation of the St. Lawrence, being nearly in the direct line of the ships' course from St. Paul's Island to mid channel, between the heights of Cape Rosier and the Island of Anticosti.

There are four principal harbours in the Magdalen Islands, namely, Grand Entry, Amherst, House and Basque Harbours, which, like most of the harbours on the Gulf shores of the St. Lawrence, are called bar harbours, having almost invariably a sand bar at their entrance, on which there is a greater or less depth of water at ebb spring-tide, rendering such harbours accessible or commodious in proportion as there is a greater depth of water on the sand bar to admit the entrance of vessels adapted to the trade of the fisheries.

Grand Entry Harbour.

Grand Entry, formerly called Jupiter Harbour, is a spacious harbour or Lagoon of some eight or nine miles long, and about three miles wide, having its entrance in latitude 47°, 30, 40, on the south-easterly side of the Magdalen Island, between the S. W. extremity of Coffin Island, and the northerly extremity of Alright Island.

The inner harbour or Lagoon is bounded on the south-east by Coffin Island, on the the north-west by Wolfe Island, on the north by Grosse Isle, and towards the south-west, connects by a narrow and shoal channel with Haywood or House Harbour, affording a convenient communication, at high water for fishing boats, and shelter from the storms in the Gulf.

On the bar at the entrance, there are about ten or eleven feet of water at low water, in the inner harbour there are two, three and four fathoms water, whereas vessels may lie at anchor perfectly safe, against the worst gales in the Gulf.

Amherst Harbour.

The next Harbour of importance, is Amherst Harbour, already noticed, lying on the northerly side of Amherst Island and opening upon Pleasant Bay, on the east side of Madgalen Island; although small it is highly commodious for the ord-

* British Dominions, Vol. 2.

nary crafts and vessels engaged in the Gulf Fisheries, whilst the larger vessels may lie on the outer harbour in safety, with good anchorage in three, four, five and six fathoms at low water. There are about seven feet of water on the bar at ebb tide, and two and three fathoms in the harbour, whilst the facilities of access to it by invariable land marks and good soundings, super-added to the secure guide of the buoys set in the channel, render it a favorite harbour for the Fishermen, and a resort or rendez vous for vessels of all countries or nations engaged in the trade of the Fisheries.

House Harbour.

House Harbour, formerly called Haywood, but more generally known by the French name of Havrè aux Maisons from the name of the French Settlement situated at the south-west extremity of Alright Island, has its entrance from the Gulf on the south-easterly side of Magdalen Island, in latitude 47° 24′ 13″ between Alright Island and Grindstone Island, and as a safe and fine harbour for small crafts and boats, that can clear the bar on which there is only five feet depth of water at low water, while there are two, three and four fathoms within the harbour. Some dredging to obtain an increased depth of water on the bar might render this a highly valuable and important harbour for small crafts engaged in the pursuit of the Gulf Fisheries.

The Lagoon or inner Harbor extends north-easterly from the north-east point of Grindstone Island, between Wolfe and Alright Islands, and unites by a shallow channel, having in some places less than three feet water at low water, with Grand Entry Lagoon, forming an inland water communication of about twenty-four miles between Grindstone and Grosse Isle Islands, well adapted for fishing boats.

The outer Bay of House Harbor, in front of the settlement of Havre aux Maisons, between Cape Alright and Cape au Meule, or Grindstone Island, affords a fine shelter for the vessels engaged in the fisheries. Its approach is endangered by some reefs and shoals, for which it is indispensably necessary to hold a good look out, especially in foggy and stormy weather.

Captains of vessels navigating the Gulf should on all occasions, whether to make the Magdalen harbours, or the harbours generally, in the Gulf of St. Lawrence, constantly consult the sailing directions on charts of Captain Bayfield's hydrographical surveys of the Gulf of St. Lawrence.

In the absence of these charts (but no navigator of these waters should be without them), a copy of Major Holland's Report, containing sailing directions and a variety of useful information relative to the Magdalen Islands, collected during his survey of one thousand seven hundred and sixty-four, is hereunto subjoined under Appendix 9.*

Basque Harbour.

Basque Harbour, the last of the enumerated harbours in the Magdalens, although formerly a very superior harbour, having had three deep entrances to it from the east, has at present all but one, shoaled at low water, but is still an excellent harbour for boats or shallops that can clear the bar; at the only remaining entrance to it (in latitude 47° 17′ 30″) there are barely four feet water on the bar at low water, and about one fathom water within the harbour, affording a sheltered water communication between Amherst Harbour and settlement of Etang du Nord, on Grindstone Islands.

In this and Grand Entry Harbour, were placed the principal echouries or strands, whereon the morse or walrus, called by the fishermen sea-cow, were taken

* Not laid before the Committee.

and killed in great numbers, even at the period of the survey in one thousand seven hundred and sixty-four.

This animal belonged, in all appearance, to the class of amphibious animals, appears to be, in the words of Lieutenant Haldimand, the most unwieldy and ugly creatures imaginable, weighing, when young, about fifty pounds, and attaining when at mature size, upwards of two thousand pounds weight. It has two long wiry teeth in its upper jaw eighteen inches long, by which with the aid of its fins, it climbes the banks and rocks, sometimes reaching as high as sixty feet. Its teeth also serve in turning over clams and shells, its principal food. These animals are valuable for their skins, ivory teeth, and the quantity of oil obtained from their blubber. This branch of the Fisheries in the Gulf of St. Lawrence was, at an early period, a very lucrative pursuit, and was carried on by a French Company. Since this the morse or walrus have abandoned the Gulf upwards of fifty years, and appear to have retired to Baffin's Bay and the Polar Seas.

As a description of the walrus or sea-cow, and the mode of taking and killing them in the strands or echouries of the Magdalen Islands may not be, even now uninteresting, particularly as they have been seen of late years in the Gulf and in the vicinity of the Straight of Belle Isle, a copy of Lieutenant Haldimand's description, as registered in the official records of the Department, is subjoined under Appendix 12.*

Character of the Soil.

The aggregate area of the Magdalen Islands has thus been set down at 77,380 acres, or in round numbers at 78,000 acres, including the various sand bars and ridges which link together on the elevated parts of the Magdalen Islands.

The varied surface which this area presents, descending from highly elevated and rocky summits either to the verge of the mural clifts, which characterize part of the coasts of these Islands, or to the level of the marshes, bogs and sand bars, which constitute another feature in their general structure, will be found to exhibit a wide diversity of soil from barren and uncultivable to that of highly fertile and arable, comprising frequently, however, between these extremes, rich or poor soil, in proportion as they are derived from the disintegration of rocks containing fertilizing elements, and according as the fertilizing deposit rests upon substrata favorable for agricultural purposes.

Now the decomposition of trappean rocks is considered by Geologists highly fertilizing, from their containing with feltz pathick and silicious matter, alumina, potash and soda, &c., &c.

These rocks, as well as the new red sandstone, together with the substrata of gypsum, marl and clays of various richness, compose, as has been already observed, the principal formations of these Islands; the detritus of which rocks brought down by the rains and melting snows, bringing with it on the one hand the fertilizing alluvial soils deposited along the flanks and base of the hills, and enriching the marshes and alluviums.

On the other hand, the constant surf and heavy sea to which the surrounding coasts of these Islands lie exposed, leave, at each receding tide, alluvial substances and sand drift, which combine to form the deep bogs, barrens and saline marshes, also the sand bars and ridges, (the latter subject to frequent transformations and shifting by the violence of the winds,) which render these parts of the Islands quite unfit for cultivation, although in many instances producing, abundantly, cranberries, juniper-berries, shrubs, flowers, &c.

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*Not laid before the Committee.

Upon a general review of the foregoing remarks it would appear evident from the nature and description of the rock formation of the Magdalen Islands, that the general character of the soil for purposes of cultivation has been underrated in the Report of Major Holland and Lieutenant Haldimand, No. 2, as he probably formed his judgment from the barren aspect which the elevated parts of these Islands frequently present.

The area and general surface of the Magdalen Island may accordingly be divided into three classes, namely:

1st. The unarable and barren, composing the rocky summits of the hills, coasts, plains, sandy-ridges and quicksands, about one-third	26000 acres.
2nd. The arable and cultivable, composing the slopes or flanks of the hills, intervales and meadows, about one-third ...	26000 "
3rd. The tolerable and available, those marshes or swamps which are convertable into meadows by dykes and drainage, one-sixth.....	13000 "
And unavailing, those low saline marshes, swamps, bogs, which cannot be retrieved or rendered tillable, although producing abundance of berries, which as articles of export renders those tracts still productive, one-sixth	13000 "

According to this distribution or classification of the soils of the Magdalen Islands, upon an average about half their area would appear barren and waste, and the other half adapted to the purposes of cultivation and pasturage, capable under a proper system of agriculture, of sustaining, joined to the Fisheries, a considerable population and raising live stock to a large extent.

In support of those conclusions, the undersigned would, by reference to the highly important Report of His Excellency Sir Charles Fitzroy, dated twenty-eighth September, one thousand eight hundred and thirty-eight, Lieutenant Governor of Prince Edward Island, appended to the Report of the late Earl of Durham, Governor General of Canada, which will again be referred to, for the valuable information it contains on the commerce and resources of the Magdalen Islands.

In corroboration of the above statement may here be inserted the following extract of a communication (Appendix 15*) from Captain A. Painchaud, a Magistrate and Merchant Trader of these Islands, wherein he states "that the soil is remarkably rich and fertile, pasture abundant, the return for grain generally from fifteen to twenty minots to one sown, and this by poor cultivation."

The undersigned considers this the fitting occasion to express the many acknowledgments he owes to Captain Painchaud, for much valuable and interesting information concerning the agricultural and commercial state, as well as the present statistics of these Islands.

Population.

The earliest inhabitants of the Magdalen Islands appear to have been French or Acadians, which, at the period of the cession, in the year one thousand seven hundred and sixty-three, numbered about ten families, occupying the Amherst division of the Magdalen Island; they lived principally by fishing, the cultivation of the ground being limited to raising some potatoes and vegetables; their clothing, according to Lieutenant Haldimand's account at the time of his survey, was, however, of domestic manufacture, from which it would appear that they raised some cattle and sheep, which the abundance of grass on the marshes, and pasture on the

* Not laid before the Committee.

hills, enabled them to rear without much trouble; besides, about this period, the morse or sea-cow fishery, as the inhabitants called it, was highly profitable and productive from the trade its skin, oil and ivory teeth afforded, and which formed, with the cod fishery, the chief pursuit of the inhabitants.

The population appears subsequently, however, to have rapidly increased by natural causes joined to immigration from the countries around the Gulf shores, and from Guernsey and Jersey, including some English and Irish families. At the period of the grant of the Magdalen Islands to Sir Isaac Coffin, in the year one thousand seven hundred and ninety-eight, the resident inhabitants numbered about one-hundred families, chiefly Acadians, whose principal support was derived from the fisheries, combined with the cultivation of a few acres of ground on which they raised principally oats, barley and potatoes. More attention seems to have been paid to the raising of live stock, from the facilites the marshes, meadows and mountain pasture afforded for the supply of fodder; the morse or sea cow fishery was about this time, greatly on the decline, and the seal fisheries, for the skin and oil obtained, were then becoming highly productive.

From this period to the year one-thousand eight-hundred and thirty-one, the population of the Island seems to have augmented but slowly, the inhabitants in the latter year numbering about one hundred and fifty or sixty families, or one thousand and fifty seven souls; however that increased about sixty per cent in about thirty years. Its agriculture and live stock were, however, much augmented, whilst the fisheries, with the exception of one or two bad years, had proved productive.

In the above interval the inhabitants were called upon by the proprietors or grantees of the Islands to pay an annual rent for the lands they occupied, and for a per centage on the fisheries, demands which produced great discontent and strong remonstrances from the inhabitants, who set forth the hardships of their case in Petitions to the Governor and Legislature of the Province, whilst on the other hand, the proprietors, for the recovery of their rents had their only legal recourse before the tribunals at New Carlisle, or Percé, and even when judgment was obtained it could not be executed for want of sufficient power to carry out the law; inconveniences of the last mentioned description similarly attended the recovery of debts contracted by the inhabitants with the resident merchant.

Since that period, an Act 4th and 5th Vic., chap. 22, was passed, to provide temporarily for the administration of justice in the Magdalen Islands, and establishing the Commissioners' Court to sit at Amherst Island. This Act was afterwards repealed, and the provisions of the Provincial Statute, 7th Vic., cap. 17, establishing Courts for the summary trial of small causes in Lower Canada, extended by the 5th section of 9th Vic., cap. 15th, to the Magdalen Islands. Whether the mere extension of the aforesaid Act to the Islands, under the circumstances of their great distance and insular position adequately meets, as contemplated, the necessities of the inhabitants, is at best doubtful, as the want of a resident Judge or of some modification, the existing law appears to be much felt by that community.

The census of the Province in the year 1844, obtained by the latest official statistics of the Magdalen Islands, according to which the population of these Islands is set down at 1,738 souls, shews an increase since the census of 1831, of 64 per cent. in thirteen years.

Comparing the amount of population given by the last census, with the estimated population of these Islands in the year 1850, set down from a mean of estimates at 2,500 souls, it will shew an increase of about 43 per cent. in six years; and that the population during the last half century has quadrupled itself, whilst the increase in agricultural produce, small as it still is, will have far exceeded that ratio.

This state of the Islands would indicate a steadily increasing population, which under an improved condition of the Islands in their present agricultural resources and in their natural advantages, such as their extensive fisheries are capable of affording under proper management and protection against the encroachments and aggressions of foreign nations, would insure to its inhabitants a fair share of prosperity and easy independence, whilst the absence of this protection in the fisheries, joined to domestic sufferings (real or presumptive, remains to be ascertained), enumerated in their Memorial to Her Majesty, have operated in divesting them from that due attention to agriculture, which the favourable character of the soil should have induced.

Notwithstanding, however, the limited extent and insulated situation of these Islands, and their great distance from the County of Gaspé, to which they belong, it will be found upon examination of the statistical data obtained of the County by the census of the years 1831 and 1844, that the population of the Magdalen Islands is more dense than that of the aggregate of the old settled parts of the country situate on the Gulf shore of the St. Lawrence, not only in regard to the territorial extent respectively of the County and the Magdalen Island, but in regard to the extent of cultivated land in either of those localities, besides exhibiting a greater density of population in proportion to the amount of cultivable land in that Island, than is given by the population of Lower Canada, to the amount of land under culture. The proportion in the latter case being five acres and a-half to one soul per census of 1831, and by the census of 1844, four acres to each person.

The Census of 1844 having been taken by Municipalities of Counties, as established under the 8th Vic., cap. 40, the Statistics of the County of Gaspé are given in the census, in the order of the ten Municipalities into which the County was organized, since, however, reorganized into three Municipalities, under the 10th and 11th Vic., cap. 7, agreeably to which the Magdalen Island forms at present the Eastern or Third Municipality of the County.

Under the former Municipal Act, the first nine Municipalities consisting of the Parishes, Townships and Seigniories, or union of them, occupy the Gulf shores of the St. Lawrence from Chat, easterly, and round the Peninsula of Gaspé to Point Magueseau or eastern boundary of the County of Bonaventure, presenting an extent of sea coast exceeding two hundred and twenty miles, and containg about three hundred and seventy thousand acres within surveyed limits.

These nine Municipalities, containing, by the Census Return of eighteen hundred and forty-four, five thousand five hundred and eighty souls, and distributed among upwards of twenty-seven Settlements scattered along the different coves, bays, rivers and harboers, including the Towns of Percé and Douglas contained five thousand five hundred and fifty-four acres under culture and improvements, that is, in the proportion of one soul to each acre of cultivated land, whilst the density of population as regards the whole surveyed area stands in proportion of one soul to every sixty-seven acres, and proportionally to the area of the County as one and a half to every square mile.

According to the Census of eighteen hundred and thirty-one, the County of Gaspé, exclusive of the Magdalen Islands, contained a population of three thousand nine hundred and forty-eight persons, and there were four thousand four hundred acres under culture, representing one person to one and one-tenth of an acre, whilst the Magdalen Island, containing a population of one thousand and fifty-seven souls, or equal to one-fifth of the population of the County, had two thousand one hundred and ninety-three acres under culture, nearly equal to one-third of the land under culture in the whole County, thus allowing two acres nearly to each person; but the produce in grain did not amount to six hundred

bushels, whilst potatoes exceeded twenty-five thousand five hundred bushels, and live stock numbered two thousand eight hundred and twenty-three heads.

Then again, the Magdalen Islands, forming the tenth Municipality of the County, contained according to the census of eighteen hundred and forty-four, a population of one thousand seven hundred and thirty-eight souls, and had two thousand three hundred and thirty-five acres under culture, shewing a density of population with regard to cultivated land, of one person to one, and one third of an acre, and in respect to the whole area of the Magdalen Islands, as one person to forty-five acres, whilst in other respects, upon inspection of the statistics of the settlements within tho Gulf shore Municipalities, the Magdalen Islands is found to contain more population, more land under culture, as well as agricultural produce, live stock, and domestic manufactured cloths, than any three or four of the Municipalities of the County of Gaspé together, the Municipality of Percé containing some of the oldest settlements and fishing establishments on the Gulf shore of the St. Lawrence, excepted.

A not less prosperous condition of the Magdalen Islands, if not in the increased extent of land under culture, at least in the amount of agricultural produce, &c., will be apparent, from the comparative statement of these statistics, see (Appendix No. 16) manifesting an evident increase of the means of subsistence derived from agricultural produce and live stock from the period of the last census to the year eighteen hundred and fifty, inclusive, viz: whilst the population appears nearly forty-three per cent more last year than in eighteen hundred and forty-four, and the land under culture appears to have increased only thirty-three per cent, the agricultural produce of grain appears to have increased ninefold, and the live stock augmented by thirty-five per cent, shewing not only an increase of land under culture, in proportion of population of one and a half acres to every person, (instead of only one to one, and one-third of an acre of land in culture, in the year eighteen hundred and forty-four,) but that the inhabitants of the Islands have (probably under the apprehension of a continued decline in the production of the Fisheries) of later years bestowed greater attention and pains in the cultivation of the soil and raising of live stock, which latter article it will appear upon inspection of the Custom House Returns, for the last five years, is becoming an important article of export.

The foregoing illustration of the comparative statistics of the Municipalities of the County of Gaspé, as well as of the general statement of population and statistics of the Magdalen Islands obtained from the census of eighteen hundred and thirty one and eighteen hundred and forty four; and from reliable source of information consulted in their preparation, will, it is hoped, readily exhibit the value and importance of these Islands in an agricultural point of view as an appendage to this Province, even perhaps independently of the value of its fisheries, its present chief source of maintenance and staple article of trade and export under a proper system of culture.

Character of the Inhabitants.

The Inhabitants of the Magdalen Islands are in general of a cheerful and amiable character, and as remarks Sir Charles Fitzroy, in his Report, appears "to be a peaceable and well disposed people." They are remarkably hale and healthy. The men are capable of enduring great fatigue and labor, and are expert and able fishermen and not surpassed as seamen. Many of the able bodied men commonly engage themselves in spring on board of American and French vessels engaged in the fisheries on the coast of Labrador or the Banks of

Newfoundland, at low wages, whilst they should have greater inducements to carry on the fisheries on their own account at home which would be of advantage to the Islands generally.

The females are a modest and industrious class of the inhabitants, upon whom commonly devolve (with such assistance as may be obtained from the superannuated inhabitants) during the absence of the men at the fisheries, in the fishing season, generally from June to October, the whole care of rearing large families, the culture of the garden, and attention to the farming stock.

It is not uncommon for families to consist of eight and nine persons; the inhabitants live generally to an advanced age, and the grandfather and grandchildren are frequently congregated in one habitation.

The houses are commonly built of wood, and of similar construction to the usual farm houses of our seigniorial population. The chimneys are built of clay or earth of a reddish colour, whilst the cleanliness and order of these habitations in general do not yield in that respect to the general character of the population of Lower Canada.

The Fisheries.

It is generally admitted, that there is no part of the American Continent where fish is more abundant in all its varieties, whether as deep sea or in shore fisheries, than in the Gulf of St. Lawrence. Rushing periodically in certain seasons from the Atlantic, whether by the passage of Canso or by the entrance of the Gulf, between Cape Ray and Cape Lawrence, the cod, herring, haddock, mackerel, and the various gregarious finny tribes in immense shoals, spread and disperse along the vast extent of coast that offer the Gulf shores of Cape Breton, Nova Scotia, New Brunswick, Gaspé, the North Coast of the St. Lawrence and Labrador to the Straits of Belle Isle, then along the Western Coast of Newfoundland to Cape Ray, presenting upwards of 2,000 miles of in-shore fisheries, besides the numerous Rivers and Streams, which are ascended for miles by salmon, alewives, as well as a variety of fresh water fish, which form a very productive branch of the fisheries of these Provinces.

From either of the above-mentioned points of ingress into the Gulf, the vast shoals of deep sea fish, whether in their direction from the Gulf of Canso towards the Banks, the Gulf or the Coast of Labrador or Gaspé, or whether from the entrance of the Gulf towards the coast of New Brunswick, or Bay of Chaleurs and Gaspé, are intercepted or arrested by the Magdalen Islands, which in certain months (August and September), surround the Islands, spreading towards the well known Banks in the Gulf, called the Gradelle and Orphan Banks, which intervene between these Islands and the Coast of Gaspé. In addition to these deep sea fisheries, should be mentioned the Seal fishery, which is prosecuted with considerable success by the inhabitants of the Magdalens, and has been found from the value of the skin and oil to supply a very productive and staple article of export, besides other fisheries, consisting of almost all the varieties of fish which frequent the Gulf shores of St. Lawrence.

A favourable idea of the Fisheries of the Magdalens may be obtained from an inspection of the Custom House Returns of the District of Gaspé and those of New Brunswick, for the year eighteen hundred and forty-nine, in respect to the value in pounds sterling, of all articles, the produce of the Fisheries, exported from the Ports of Gaspé and from the Ports of New Brunswick, within the Gulf of St. Lawrence, from which it would appear that the value of similar exports of the Magdalen Island amount to one-sixth of the exports of the County of Gaspé, and about equal to one half the amount of the exports from the Ports of New Brunswick, within the Gulf of St. Lawrence, taken in the aggregate.

The Report already alluded to, of the Governor of Prince Edwards Island, states the amount of Exports in eighteen hundred and thirty-eight, at ten thousand pounds currency, and the imports at a like sum; this amount of exports is still sustained and is even exceeded, according to the Returns of the Custom House, for the years eighteen hundred and forty-five to eighteen hundred and forty-nine. There appears, however, to be an evident and gradual decline in the produce of the Fisheries from the year eighteen hundred and forty-five to eighteen hundred and forty-nine, apparent upon inspection of the Returns of J. C. Lelleau, Esq., Sub-Collector at the Port of the Magdalen Islands, established in eighteen hundred and forty-four, and further confirmed by the Custom House of Quebec, for the year eighteen hundred and fifty.

The shores of these Islands are highly favourable for the successful pursuit of both in shore and deep sea Fiheries, producing abundantly of the varieties of moluscus and marine animals and sub-marine plants, upon which the fish feed, whilst the numerous Bays, Lagoons, and Lakes offer secure retreat to the ova of those varieties of fish that visit the Island; among the former clams are much sought after by vessels engaged in the Fisheries, which resort to those Islands from Isles St. Pierre and Miquelon, and the banks of Newfoundland to obtain them for bait. The gathering of clams generally employs the women and boys who sell them to the resident merchants.

But as already noticed in the early part of these remarks, the Magdalen Islands, in common with those British Colonial possessions on the North American Continent, suffer much injury by the encroachments of the French and Americans upon our Fisheries, who avail themselves of every means for evading the stipulations of the treaties and conventions which restrict them within given limits, from approaching our landing or curing fish on our shores, only in certain cases and under specified conditions, with the unchecked course of aggression of those powers whose vessels are better built and superiorly equipped for the Fisheries than Colonial vessels generally, and they exercise almost absolute sway over the waters of the Gulf, driving away in numerous instances our Fishermen from the banks, whether on the Gulf of St. Lawrence or those of Newfoundland or on the Coast of Labrador, and frequently deprive them of bait, against which they are unable to offer any resistance.

American vessels sometimes to the number of four or five hundred sail annually, visit these Islands, anchoring in our bays and harbors with impunity, from which there are no means or sufficient power of compelling their departure.

These Islands, reports the Lieutenant Governor of Prince Edward Island "are the principal resort of the commerce of American Fishermen and the French "from the Islands of St. Pierre and Miquelon and although nominally under the "Government of Lower Canada, they have been left for some years entirely to "themselves, without Magistrates, public Officers of any description, a consequence "of which no law is observed by the inhabitants or the thousands of Americans "and others who swarm in the Gulf of St. Lawrence and in the harbours of the "Islands during the fishing season, except as was observed to me, the law of *le* "*plus fort*." "The depredations committed by those strangers were loudly com-"plained of, as well also as the absence of any means to enable creditors to re-"cover theie just debts and the advantages taken of their unprotected state by the "Americans and French."

Many of the foreign vessels, especially American, carry on an extensive illicit trade with these Islands, while thus anchored in shore of its Bays and Harbours. The inhabitants, in exchange for flour, tobacco, tea, sugar, rum, and a variety of articles used in the fisheries, barter or sell their codfish, oil, seal skins, live stock, and such of the natural productions of the Islands, as cranberries, plaster, ochres, &c. The Masters of vessels paying neither duty or anchorage dues,

whilst this contraband trade on the one hand operates prejudicially upon the regular resident merchants, who may have during the rigour of a severe winter, supplied on credit those inhabitants with provisions from their stores; and on the other hand, producing a sensible loss to the revenue of the Province; unless therefore the strongest and decisive measures be not soon adopted either by the intervention of Imperial enactments or by the interposition of Colonial authority, for the suppression of so notorious a contraband trade, not only in those Islands but along all that part of the north coast of the River and Gulf of St. Lawrence, commonly called Labrador, from Pointe DesMonts to AnseMont Sablon, lying within the territorial limits of this Province, these valuable fisheries, the preservation whereof is of vital importance to the maintenance of a large portion of the population and a source of wealth to the Province at large, will eventually be ruined as commercial products.

In the remarks under the heads, "Character of the Soil, Agriculture, Population, and the Fisheries," it has been shewn that the soil of a large portion of the Magdalen Islands is susceptible of cultivation and capable of sustaining, with the advantages of the fisheries, a large population, whilst its extensive meadows, mountain pastures and rich marshes, may enable them to raise farm stock, not only for home consumption but for exportation: that these Islands, composing one of the three Municipalities of the County of Gaspé, under the last Municipal Act 10th and 11th Vic., chap. 7, does not even, under its present rude and imperfect system of agriculture yield, in the amount of its lands under culture, its agricultural produce, live stock or domestic manufactures, to either of the other Municipalities on the Gulf shores of the St. Lawrence; but the population of these Islands has accrued in a favourable ratio of increase, that is doubling in twenty-five years, whilst according to the increase since the last census, the population would double in less than eighteen years: at the same time that the increase of subsistence derived from the cultivation of the soil and farming generally, joined to the pursuit of the fisheries, cannot fail of securing to the inhabitants ease and independence in circumstances, if not absolute wealth; and lastly, that the highly favourable position of these Islands, nearly central in the Gulf of St. Lawrence, render them for the facilities they eminently possess for carrying on the fisheries of every description, whether of in-shore or deep sea fisheries, unrivalled in those respects and of the highest importance for the trade and commerce these staple productions afford The advantages of which, however, the inhabitants of these Islands are unable fully to avail themselves, until effectual steps for repressing the encroachments and continued aggressions of foreign vessels upon our fisheries shall be adopted by the Imperial or the Colonial Government.

Similar encroachments of American fishermen on the fishing grounds of Nova Scotia, having given rise to the complaint preferred in an Address to the Queen by the House of Assembly of that Province, and praying her Majesty to establish by an Order in Council, general regulations for the protection of the Fisheries in that and the adjoining colonies, the subject was referred to Her Majesty's Attorney General and Advocate General of England, for their opinion, as to whether there was anything in the code of regulations accompanying the said address, which would be inconsistent with the stipulations of the convention of the twentieth October, eighteen hundred and eighteen, between Great Britain and the United States of America.

According to the opinion of these high legal functionaries of the Crown, given in their Report, dated at Doctor's Commons, thirtieth August, eighteen hundred and forty-one, to the Right Honorable Viscount Palmerston, Secretary of State, as the result of their deliberations in replying to the Queries submitted to them, it would appear in substance; First, that the Treaty of seventeen

hundred and eighty-three, is annulled by the war of eighteen hundred and twelve, and that the rights of fishery of the citizens of the United States must now be defined or regulated by the Convention of eighteen hundred and eighteen.

2nd and 3rd. That by terms of the Convention, American citizens are excluded from any right of fishery, within three miles of the coast of British America, and that the prescribed distance of three miles is to be measuered from the head lands or extreme points of land next the sea, of the coast or the entrance of bays or indents of the coast, and consequently, that no right exists on the part of American citizens to enter the bays of Nova Scotia, &c.

4th. That by the Convention of eighteen hundred and eighteen, American citizens have the liberty of fishing in the Gulf of St. Lawrence, and within certain defined limits, in common with British subjects, &c., and, independently of treaty, no Foreign Country has a right to use and navigate the passage of Canso, &c,, that casting bait to lure fish in the tract of any American vessels navigating the passage would constitute a fishery within the negative terms of that convention.

5th. That with reference to the claim of a right to land on the Magdalen Islands, and to fish from the shores thereof, &c, that the American citizens have no right to land or conduct the fishery upon the shores of the Magdalen Islands.

6th. That by the Convention, the liberty of entering the Bays and Harbours of Nova Scotia, (or any other harbours of Her Britannic Majesty's dominions in America,) then stipulated for the purpose of purchasing wood and obtaining water, is conceded in general terms.

7th. That the rights of fishing ceded to the citizens of the United States, and those reserved for the exclusive enjoyment of British subjects, are to be defined altogether upon the Convention of eighteen hundred and eighteen, the only existing treaty on the subject between the two countries.

Upon an attentive review of the construction of the Convention of eighteen hundred and eighteen, as coming from such high legal authority, the Executive Government of this Province, under the circumstances of the numerous complaints from the inhabitants of the Magdalen Islands and the Labrador Coast, against the aggression of foreign vessels in the Fisheries on those coasts, would, it is humbly submitted, feel justified in adopting protective measures against a continuance of these evils, which threaten to destroy our Colonial fishery, and also to establish restrictive regulations against the aggressions of Masters of vessels belonging to the neighboring Provinces, likewise complained of.

The insular situation of these Islands, the limited extent of their agricultural resources even prospectively shut out or excluded during four or five months of the year from any communication with the Settlements on the shores of the Gulf, exposed, as its inhabitants are, to maintain the unfortunate shipwrecked mariners, crews and passengers of vessels stranded or shipwrecked on its barren but hospitable shores, are circumstances which powerfully call forth the sympathies of humanity on behalf of the inhabitants of these Islands, while they merit the attention of the authorities of the Province.

It may here be remarked, that there is a wide difference between the circumstances of these Islands and those of the inhabitants of the continental part of the County of Gaspé; in the former they compass, as it were at sight, the habitable or cultivable portions of their sea girt territory, which contain no other resources but what good husbandry or the pastures will yield, there is no timber for trade, no rivers affording water power, no extent of country to promise future markets for agricultural produce, whilst in the latter case, the extensive territory composing the vast interior portion of the country offers a multitude of resources of the descriptions found so deficient in the Magdalen Islands, affording an almost unlimited latitude in the culture and settlement of the waste lands and in agricultural productions, superadded to the commercial benefits arising and to

arise from the manufacture of timber for domestic use and exportation. These advantages from which result a surplus amount of export over the imports, enable the inhabitants of the District to bear with comparative ease the pressure of the duties imposed upon articles of provisions and implements required to carry on the Fisheries, whilst they tend to oppress, from the absence of equivalent resources the inhabitants and traders in the Magdalen Islands.

Then again the inhabitants of the peninsular part of the District of Gaspé have had the benefits of repeated Provincial Acts, which obtained them legal possession of the lands they occupied under location or improvement; namely, the 59 George III, cap. 8, (April, 1819,) appointing Commissioners for the settlement of the land claims in the District, to which Commission the undersigned had the honor of being professionally attached, and the Statute 10 and 11 Vic., cap. 30, which, among other provisions, grants free to settlers the land occupied by them for twenty years. These enactments could not reach the inhabitants of the Magdalen Islands as occupying lands belonging to a grantee of the Crown, who, on the contrary, imposed certain rents on the occupants of the land.

These annual rents and dues have in many instances accumulated into arrears which the poorer class of the inhabitants, unable to pay, are being sued for, thus aggravating by heavy costs the pressure which they are subject to in other respects.

A consideration of the foregoing relative features of advantages of productiveness and trade between the continental and insular parts of the District of Gaspé, so much in favor of the former, cannot fail to lead to the conviction of the justice and propriety of extending to the inhabitants of the latter section of the District some counterbalancing aid in their present circumstances; and there occurs none that would be so effectual or beneficial as a remission of the duties upon articles indispensably necessary to carry on their fisheries, which would prevent the smuggling and contraband trade now carried on, so demoralizing in its effects, especially on a small community, while injurious to the revenue of the Province.

On the other hand the continuance of the existing duties will be productive of discouragement and discontent among the inhabitants, resulting in the neglect of their favorite pursuit, the fisheries, and the cultivation of the soil, entailing ultimate poverty and producing the desire of emigration to other countries more fostering than their own.

The report of the Lieutenant Governor of Prince Edward Island already cited as conveying a correct idea of the condition of the Magdalen Islands at the time of his official inspection, in 1838, is under the present circumstances of the inhabitants, deserving of special attention for the mode of relief suggested in the event of these Islands being annexed to that Government.

The nature of those suggestions (enlarged in the accompanying communication of G. R. Goodman, Collector of Customs of Prince Edward Island) appears however, to apply more especially to the introduction in these Islands of an effectual method of collecting a revenue, protecting its fishery, and while affording general relief to its inhabitants suggesting the adoption of measures for the strict enforcement of the revenue laws.

Suggestions for the relief of the inhabitants of the Magdalen Islands.

Upon a review of the present condition of the Magdalen Islands and of its inhabitants, the unprotected state of its Fishery, the inefficiency of the present system for the administration of justice, and want of power in the resident magistrates to impose respect for the laws, the loss sustained in the revenue of the Province under the powerless state of the Preventive Service, the following suggestions, as appearing best calculated to afford relief to the inhabitants of that

remote and insular section of the Province, are humbly submitted for the consideration of the Government.

1*st*. The protection of the fisheries against the aggression of foreign vessels. To carry out this object effectually, it would be expedient that an armed vessel (a steamer would be preferable from the facility afforded of moving at a required time from any point, Harbour or Bay in the Gulf to another) which, furnished with all the necessary authority and provided with a sufficient force, should at different times, and frequently during the period of navigation in the Gulf, keep a strict look out after all foreign vessels fishing along those parts of the Gulf shore of the St. Lawrence and around the Magdalen Islands, being the Territory of Canada; such foreign vessels to be vigilantly restricted to fish at those distances from the coast directed in existing treaties between the nations they belong to and Great Britain.

That this armed vessel should, at all times, when required, be subject to the authority of the Collector or Sub-Collector, or Justice of the Peace, whether for matters connected with the revenue, or for assisting in maintaining peace and order in the Islands; that Amherst Harbour should be the principal station for such Government vessel.

2nd. That as an encouragement to the Merchants and Traders of the Islands, that a bounty be granted by the Provincial Government on all fishing crafts or vessels of not less than per ton on the burthen of such crafts; that to entitle the owner to such bounty, he must bring his fish and oil to the Islands to be sold there or in other parts of the Province, and to that effect obtain a certificate from the Sub-Collector at the Port.

3rd. An exemption of duties upon all articles required to carry on the fisheries, enumerated in the 10th and 11th Vic., cap. 31, (repealed by the 12th Vic., cap. 1.)

4th. A modification or amendment in the Act extending the provisions of the 9th Vic., cap. 15, to the Magdalen Islands, to the effect of altering the time of sitting of the Court of Circuit at Amherst Island, from the month of June to Autumn, or the appointment of a resident Judge or Stipendiary Magistrate in the Islands.

5th. The erection of a Court House and Gaol; the building might be so constructed as to answer for both purposes, besides affording room for Registry Office, and other public purposes.

6th. That anchorage dues be levied on all foreign vessels resorting to the Ports of the Magdalen Islands, and the proceeds be applied to the expenses attening the preventive service, the erection of the Court House and Gaol, &c.

7th. That the Sub-Collector or Revenue Officer have at his command a boat and crew of six armed men, to enable him to enforce the laws and assist whenever it may be required by the Magistrates, in the maintenance of order in the Magdalen Islands.

Conclusion.

Having endeavored to embrace in the preceding pages such information relative to the Magdalen Islands, as could be arrived at from the Records of this Department, and from other official documents, besides such as could be obtained from reliable sources, (most of them mentioned in the accompanying Appendix) so as to present, as called upon under the order of reference he was honored with from you, in transmitting the Petition of the inhabitants of these Islands, desiring their annexation to the Government of Nova Scotia, such a Report as could comprehend an historical and full account of these Islands; the undersigned, in representing the value and importance of these Islands, has taken occasion to submit

the natural and commercial resources they offer in their inexhaustible fisheries, connectively with the advantages of favorable soil for purposes of agriculture, as the grounds on which he would recommend their continuing to remain an appendage to this Province, and in conclusion, he would beg leave to urge, for the consideration of the Government, the importance of these Islands in a maritime point of view.

The completion of our Public Works for the improvement of the Navigation of the River St. Lawrence, enabling sea-going vessels, drawing eleven and twelve feet water, to bring down their cargoes (the produce of the Countries bordering the great upper Lakes) without breaking bulk, to the Gulf of St. Lawrence, and thence to the market of the British Isles or of foreign Countries; the vast and increasing trade, in the way of Imports, which the facilities our inward canals will induce throughout our inland navigation from the Ocean to Lake Superior, on the one hand, and the progressive increase in the imports and exports growing out of a rapidly increasing population, accelerated by Immigration, will doubtless eventually render, with the accession of Free Trade with the United States, the Saint Lawrence, the greatest, as it is the shortest thoroughfare between the Continent of North America and the Ports of Europe.

In this prospect of a vastly enlarged trade, not only with trans-Atlantic Ports, but the markets of our Sister Colonies, the West Indies and United States, (the latter under the contingency of reciprocity,) the Geographical position of the Magdalen Islands, its almost central location in the Gulf of St Lawrence, in the line nearly of the vessels track to the River St. Lawrence, whether entering the Gulf from the passage of Canso, or from the entrance of the Gulf between Cape Ray and Cape St. Lawrence, cannot fail to be appreciated as one of paramount importance, and as offerrng a favorable station to serve as an out post to the Province, and as such, well adapted to become a Depot for the Export Trade, generally, from the territories bordering on the Upper Lakes and the St. Lawrence. The late period of the season, namely, in December, at which outward bound vessels can leave the ports of these Islands in perfect safety and without any apprehension of being obstructed by ice, render them highly suitable for the purpose above stated.

In a time of war, the Magdalen Islands would be found of importance as a Naval depot, as ships of the line and sloops could find safe shelter and good anchorage in Pleasant Bay and the channel between Entry Island and the Hook, whilst inferior crafts could reach with safety the harbors the Islands afford, according as the draught of water would permit.

To render the approaches to these Islands safe in all weather, and otherwise to improve the navigation of the Gulf in connection with the River St. Lawrence; also with a view of diminishing, if not of obviating the shipwrecks that almost every year unhappily take place on the coasts of these Islands, there appears to be an urgent necessity for the erection of two Light Houses on the Magdalen Islands, namely, one at the East Point to direct vessels entering the Gulf from the Island of St. Paul; and another on the South-west Point, for those entering the Gulf from the passage of Canso; and complete the chain of lights to the River St. Lawrence, there should be a Light House on Gaspé Point or on the height of Cape Rosier.

At each of these Light House Stations, there should be a sufficient depot of provisions to supply the ship-wrecked sufferers, in order that they should not be a charge upon the inhabitants of the Islands.

The United States spare neither trouble nor expense in lighting their whole extent of coast from Louisiana to Maine, which an inspection of their Marine charts will most satisfactorily manifest. Their example in this respect is worthy of being emulated, especially where its effects are calculated to benefit our most

productive sources of trade and commerce, while in the cause of humanity hundreds of lives may be saved from the awful accidents of shipwreck.

The expense of maintaining the establishments on the Magdalen Islands might, it is submitted, be borne by this Province jointly with the sister Provinces of Nova Scotia, Prince Edward Island, and Newfoundland, which are all equally interested, and employ numbers of ships and seamen in the Gulf fisheries. Even in an international point of view, French and Americans (who have their hundreds of ships engaged in the Gulf fisheries, and training thousands of men for their Navy), might be called upon, as participators in the common benefit to arise from lighting up the Gulf, to bear a share of the burden of supporting these establishments; at least the circumstance appears a fit subject for negociation under the existing commercial relations of these countries.

The confidence which the erection of these light houses would naturally create either in the approach to, or making any of the ports of these Islands, would materially lead to an increase in the number of vessels, that now visit them and the general traffic of these Islands, whilst such highly desirable improvements being effected, joined to the subjects of relief to the inhabitants that have herein been suggested, being conceded, as far as may be deemed expedient, in leaving them nothing to desire by annexation to the neighboring Province of Nova Scotia, the circumstance would materially tend to conciliate the inhabitants, and reconcile them to remain attached to the Government of this Province.

All which is nevertheless respectfully submitted.

JOS. BOUCHETTE,
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(*Translation.*)

Report of Charles François Fournier, Esq., Provincial Land Surveyor, of the survey and measurement of certain Clergy Reserve lands in the Magdalen Islands, in obedience to the instructions from the Crown Lands Department, dated 28th June, 1852.

To the Honorable John Rolph, Commissioner of Crown Lands, &c., &c., &c.

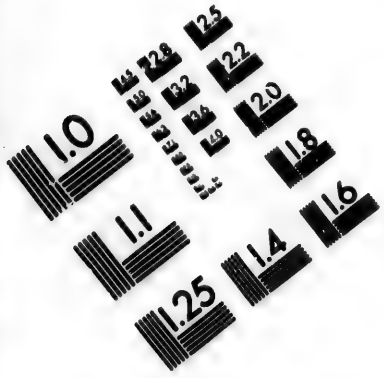
Sir,—Immediately upon the receipt of your instructions I proceeded with all due diligence to Coffin Island or Eastern Island, one of the Magdalen Islands, where I had the honor of meeting the Reverend Mr. Felix Boyle. The Reverend Mr. Milne, it appears, resides for the present at Baie des Chaleurs.

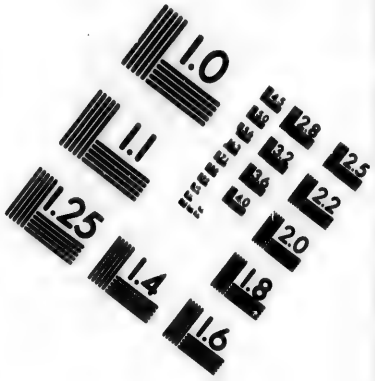
Having communicated to him the instructions I had received, he offered to accompany me and shew me the part of the Island which he was desirous of having surveyed, for a Protestant Episcopalian Church and burial ground, which I approved of and surveyed in his presence, as stated in my journal.

This Island contains only three dwelling houses, whose owners occupy all the land in that part of the Island suitable for agricultural purposes, consisting in part of white sand, the rest being uncultivated and partly occupied by stunted trees. Hay, however, is grown in a few places along the shores of the marshes, but here, as in the other parts of the Island the soil is worthless.

If this Island is set apart as Clergy Reserves and considered as a seventh of the grant made to Captain Isaac Coffin of all these Islands, it is certain that with respect to value, this Island is not of one twentieth part the value of the other Islands, for the latter are much more valuable in every respect.

With respect to the value per acre of the lots occupied as stated in my Journal, I am of opinion that one shilling currency per acre is a price more than sufficient for the lands occupied by three persons, and also for the reserve I surveyed for the Reverend Mr. Boyle, and for the places where hay might be grown. That is the price fixed by Government for lands in the District of Gaspé, which are superior in quality to those of this Island.





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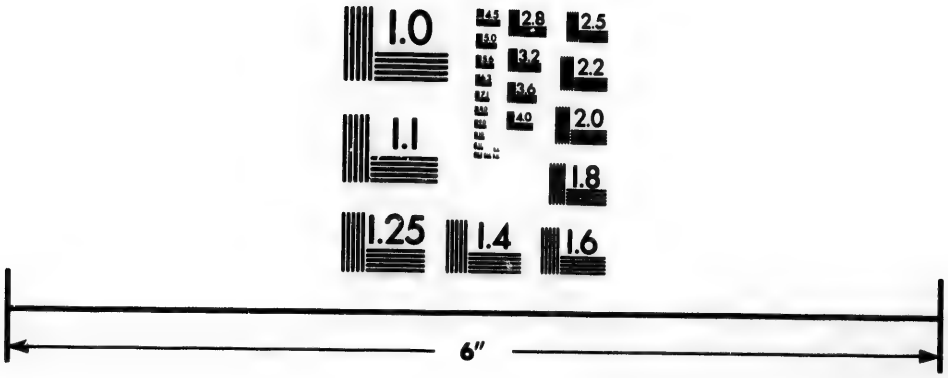

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23 WEST MAIN STREET
WEBSTER, N.Y. 14580
(716) 872-4503

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Gulf of St. Lawrence
MAGDALEN ISLANDS.
MATTHEWS' LITH. MONTREAL
40'
30'
Wolfe Island

Bird Rocks
North Bird
Great Bird
Bryon Island
North Cape
East Point
Great Gut
Great Lagoon
Entry I.
Old Harry Head
Columbine Shoals

Wolfe Island
Shag Id.
Pierre de gros Cap
Hospital Cape
Cape le Train
Cape Alright
Cape Moule
White House
Etang du nord
Red Cape
Gull Id.
Pearl Reef
Pleasant Bay.
Basque Harbour
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Crown Land Department
Quebec 15th March 1852.

John Rolph

Commissioner of Crown Lands.

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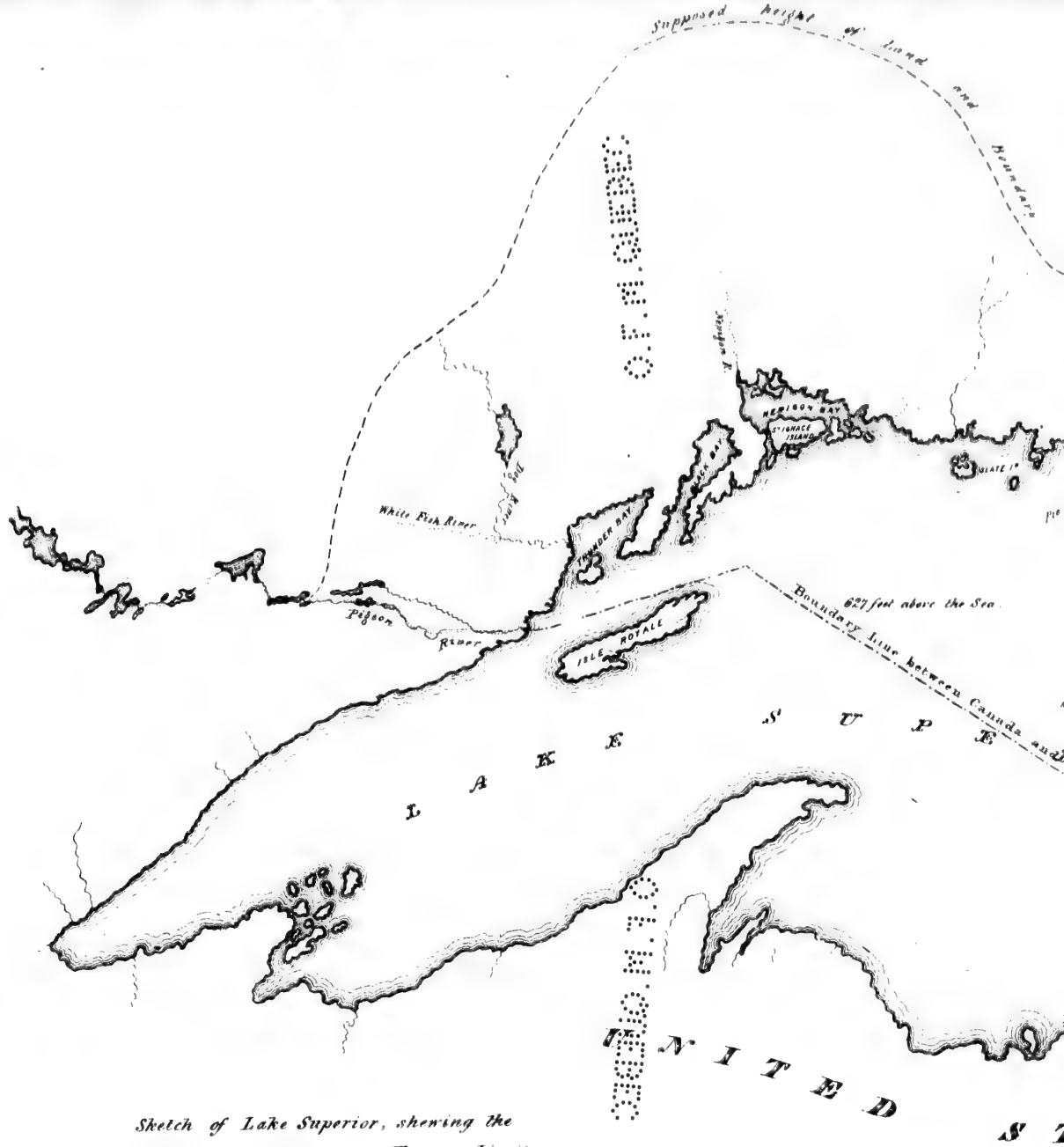

Sketch of Lake Superior, shewing the supposed Northern and Western Limits of this Province in that direction.

G. Matthews Lith.

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Lands Department
Quebec, 12th March 1853.

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Commissioner of Crown Lands.

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In accordance with the instructions you communicated to me, at the same time I have the honor to submit for your information the following remarks :

1st. I found that the variation of the magnetic needle in these Islands, is I am convinced that there is no magnetic attraction in this Island ; I can offer no information on this subject, as to the other Islands.

2nd. I did not lay out a Village in this Island, for there never will be a population sufficient to establish it ; the Village will always remain at Grosse Isle, which is near this Island, where a beginning has already been made, and a Protestant Church in course of erection.

3. The entire population of these Islands isabout 3,000 souls, who live for the most part by hunting and fishing. Barley, oats, and potatoes however, are grown, and ripen very well ; wheat does not succeed, or very rarely. The horses, horned cattle, and sheep are, generally speaking, superior and large, more particularly at l'Isle d'Entrée. They are sometimes exported to St. John's or Prince Edward's Island, where they sell to advantage.

4th. I have procured some plaster and some earth of various colours, with which the inhabitants of the Islands colour their houses and some black and red lead, and various stones and pebbles from the different Islands, which I have the honor herewith to transmit to you.

5thly. From the information I obtained from the inhabitants, it is worthy of remark, that there are neither snakes, adders, toads or frogs in any of the Islands. Much might be said respecting these Islands and their inhabitants, with reference to their Commerce, their Fisheries, and the Administration of Justice, the manner of selling or leasing the Lands, &c. ; but as that would be exceeding the limits of my instructions, I think it advisable to be silent on these points.

The whole respectfully submitted.

I have the honor to be,
Sir,
Your very obedient servant,

(Signed) C. F. FOURNIER,
Provl-Surveyor.

Quebec, 15th Sept., 1852.

True Copy.

(Signed,) JOS. BOUCHETTE,
For Commissioner of Crown Lands.

Quebec, 16th March, 1853.

QUEBEC:

PRINTED BY JOHN LOVELL, AT HIS STEAM PRINTING ESTABLISHMENT,

MOUNTAIN STREET.

Lake Superior,

By

LIEUT HENRY Wm BAYFIELD

Assisted by

Mr. Philip Ed Collins Mid:

between the Years 1823 & 1825

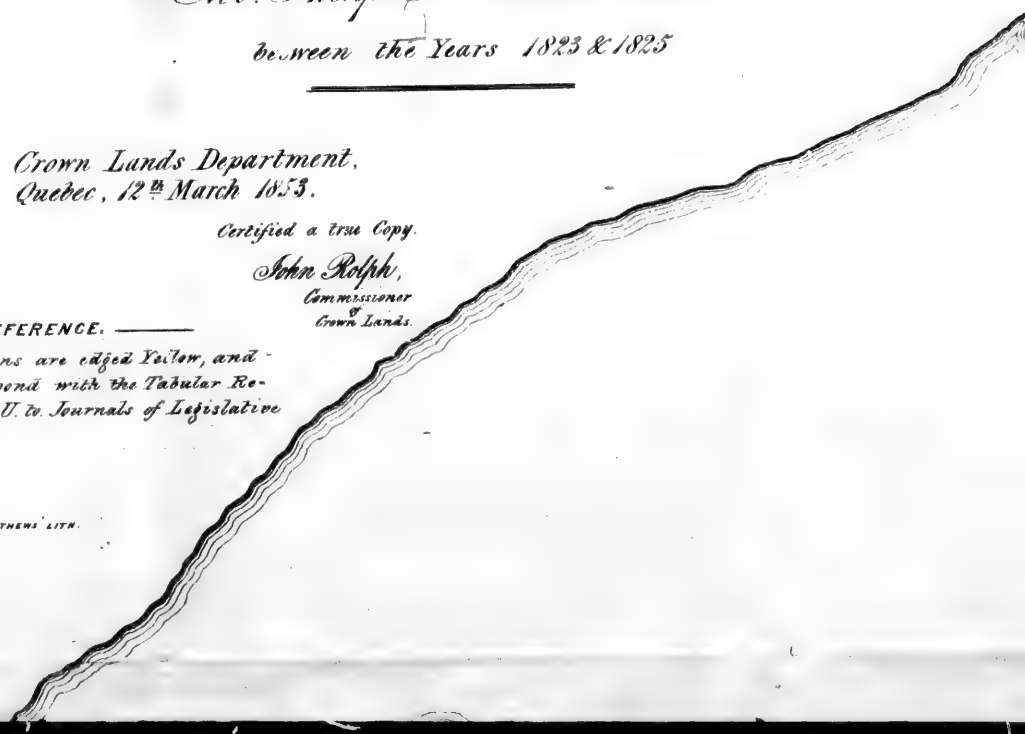
Crown Lands Department,
Quebec, 12th March 1853.

Certified a true Copy.

John Rolph,
Commissioner
of
Crown Lands.

REFERENCE.

The Mining Locations are edged Yellow, and numbered to correspond with the Tabular Return in Appendix U. to Journals of Legislative Assembly for 1851.



MATTHEWS' LITH.

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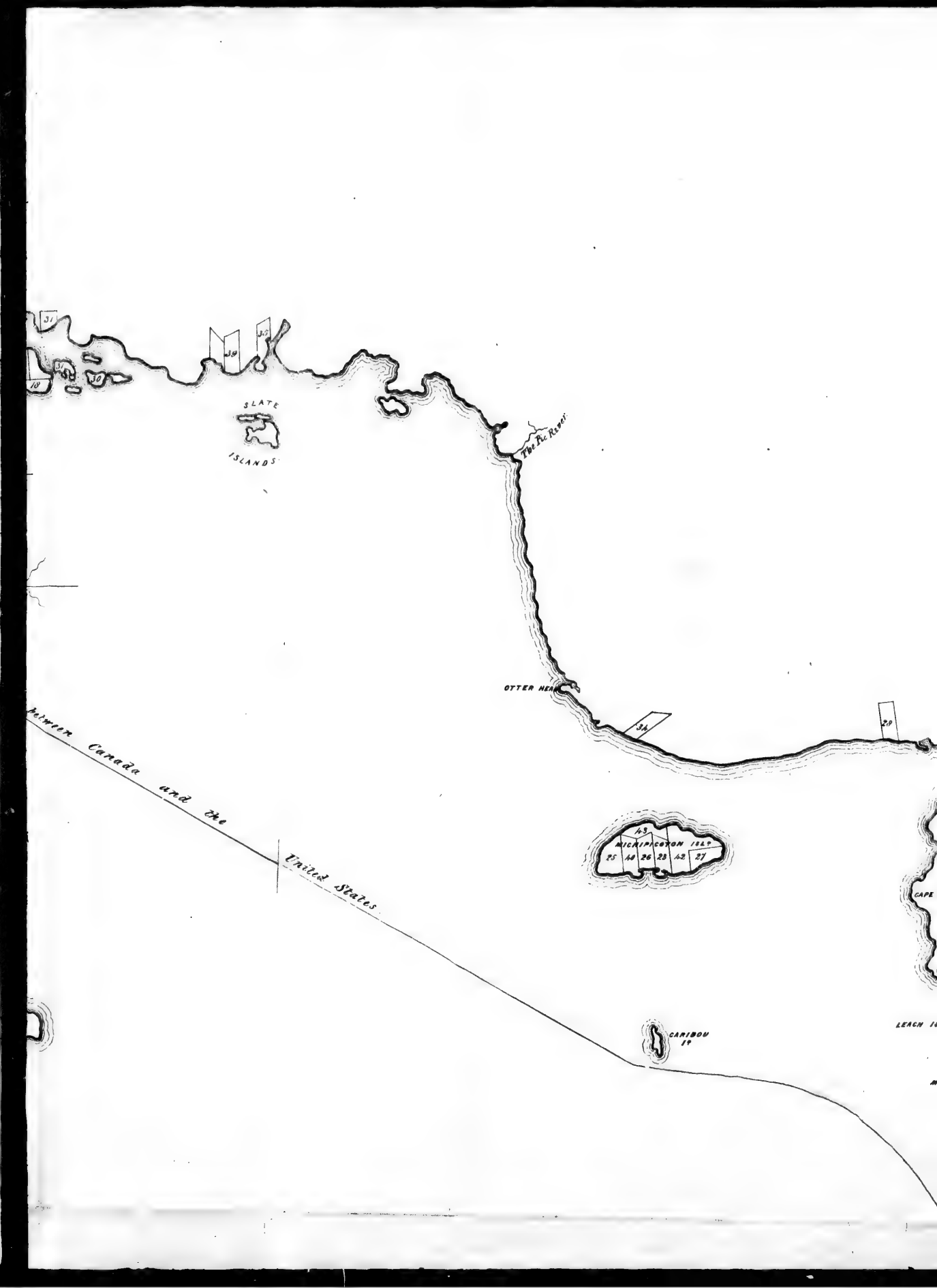
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between the Years 1823 & 1825

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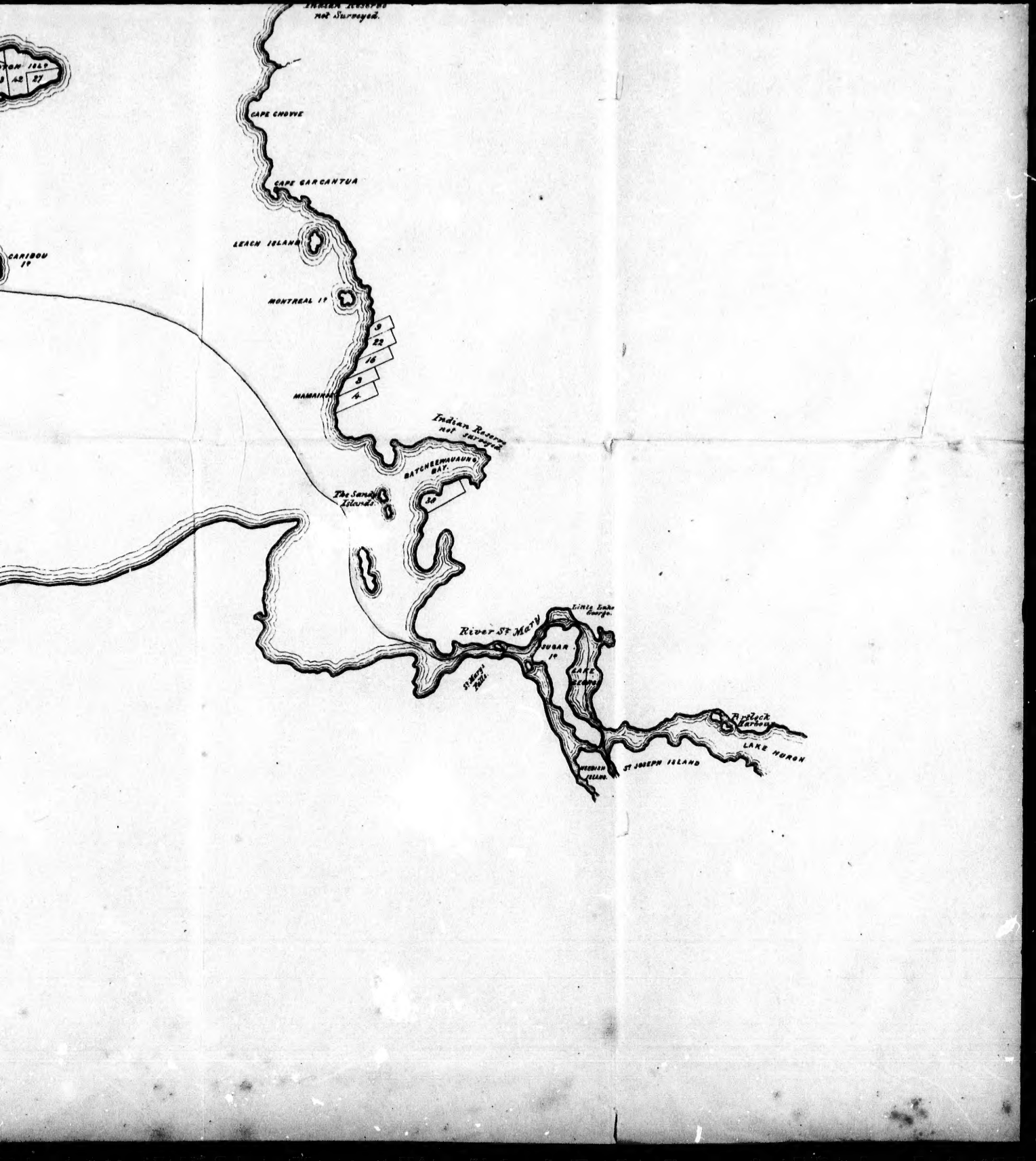
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LAKE GEORGE
St Mary's Falls.
Pitlock Harbour
LAKE HURON
St JOSEPH ISLAND
MUDDY ISLAND